



98-721 OUTFIT, MAROON
98-731 COVER, MAROON
98-771 CORP. RECORD, MAROON
98-725 OUTFIT, BLACK
98-735 COVER, BLACK
Made in U.S.A.

Stuart Street Chowder Society directly, we should seek Counsel's opinion on our recourse.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to forward Chief Reid some corres. Mr. Murphy received re: community purchase of smoke detectors, for his input and comments regarding same in writing to the Bd. with his evaluation of this type of program.

On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to advise our Dept. Heads that when a Department receives a valid complaint on service of his Dept., the Dept. Head should provide feedback to the person who complained - the Dept. Head should be cooperative with the complainant and get back to him with any info. he can provide regarding the complaint & action taken regarding same.

On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to forward a letter of congratulations to the Chelmsford High School Wrestling Team on their successful victory on becoming State Champs.

Mr. Lovering again reminded the community that Chelmsford has been selected for presentation on Channel 4 as part of the "We're 4" Program and it will be aired on March 15.

Mr. Lovering advised the Board that there is a legal case - Lovell vs. the City of Griffin, re: distribution of literature, periodicals, etc., similar to one of the problems addressed in Mr. Lovering's article for TM regarding this problem, and it is not particularly favorable, therefore, he suggested that the article be forwarded to Town Counsel for his info. in drawing up the final version of our article.

Mr. Lovering advised the Bd. that last week there was a fire on Rack Road, and the house which was on fire could not be located by the Fire Dept., as the front door of the house is on Rack Road, however, the number on the house faces Winslow Road - therefore, it was difficult for the Fire Dept. to locate the house. The AA will request the residents who live on the corner of Winslow Road & Rack Road to place, under their house number, the street name - however, Mr. Murphy informed him that they have already done this. Mr. Lovering then stated that perhaps the Bd. should re-address the signing of the roads at that intersection.

Mr. Lovering advised the Bd. that there is a road in North Chelmsford, Coolidge Street, which is flooded and has water about one foot deep in the Street. The Hghy. Supt. cannot do anything about it. Mr. Lovering suggested that we add this to our list of drainage problems which will be addressed for solution.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:30 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held March 7, 1977. Members present were: Mr. Hart; Mr. Currier; Mr. Palmer; and Mr. Lovering. Mr. Murphy was out of Town on business. Mrs. Haines, AA, was also present. Mr. Hart, Chairman, called the meeting to order at 7:30 PM.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to proclaim March 20 as Blood Donor Sunday. Mr. Hart read a proclamation regarding same.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the minutes of the meeting held Feb. 28, 1977.

Mr. Hart reported on the status of the filling of Crystal Lake. The Lake is still being filled, and in a letter from Mr. Loney, which is item 6 on the corres. sum., Mr. Loney requests some info. re: level of water in the lake - the lake has reached this level in the outlet canal going towards the mill - Mr. Loney was advised by Mr. Hart today of the situation of the level of the water, and when the water reaches the level of the boards, we will advise him of same once again.

Board
Reports

Mr. Currier reported that Police Negotiations were held this afternoon at 3 PM and another mtg. is scheduled for March 21 at 5 PM.

Mr. Palmer reported that Fire Dept. Negotiations were held this afternoon at 4:30 PM, and another mtg. is scheduled for March 21.

Mr. Lovering commented that last Tuesday the BOS met with the Fin. Comm. to review warrant articles & the Sel. budget. Mr. Murphy, Mr. Lovering & Mrs. Haines attended this mtg. Mrs. Haines will document that mtg. No positions were taken on the articles; however, after discussions, Mr. Lovering has agreed to withdraw both articles re: 24-hour leash law & increased fine, due to amount of time discussion on same will take, etc.

Mrs. Haines reported that on Tues., March 8 the Fin. Comm. is meeting with the Fire & Police Chiefs. In the past a Board member has attended same. She asked if a Bd. member could attend - Fire-7:30 PM; Police-8:30 PM - the mtgs. are for budget review. Mr. Hart can attend the 7:30 PM mtg. Mr. Lovering commented that last week the BOS went on record re: reductions in overtime accts. for Police & Fire Depts., and he feels that the BOS should have work sessions with the Police & Fire Chiefs to review the budgets before Town Mtg. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to forward priority corres. to the Finance Comm. indicating that the BOS will hold a work session with the Fire Chief and with the Police Chief to discuss their budgets and to discuss the reductions which the Bd. took - we should advise the Fin. Comm. that the Bd. plans to develop a program with both Dept. Heads to achieve the dollars the Bd. voted for their budgets. The Bd. will hold the work sessions with the Chiefs on March 10 at 8:00 PM.

Adm. Asst.
Reports

Mrs. Haines advised the Bd. that last week she interviewed 14 applicants for the position of Clerk for the Town Planner; Purch. Agent and CETA Coordinator. In view of the fact that the present Clerk is being terminated in the near future, Mrs. Haines recommended that Nancy Hogan of Donna Road, be appd. as Clerk in this capacity - this was unan. voted by the Bd. on a motion by Mr. Currier, seconded by Mr. Palmer.

Mrs. Haines informed the Bd. that Town Counsel requested that a Work Session be scheduled this week to review the wording of warrant articles. The Warrant must be posted by March 11. The Bd. agreed to hold the Work Session on March 10 at 7:30 PM.

On Saturday, March 12 the Bd. will interview for the following CETA positions: Asst. Bldg. Insp; 2 Spec. Projects Assistants; Energy Coord; Sanitary Landfill Analyst; Community Relations-Police - the AA will leave a list of all applicants for the Bd. this Thurs. evening, at which time the Bd. can determine who will be interviewed on Saturday. Interviews can commence at 10:00 AM on Sat., and ea. Sel. can take a few applicants & interview for same.

Dept. Head
Reports

Jerry House forwarded the Bd. with reports on "We're 4" and Title VI B - the Bd. agreed to discuss report re: Title VI B on March 14. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to approve a request for trans. from the Reserve Fund for the Hghy. Dept. for Snow & Ice in the amount of \$6,975.

The AA will ask Mr. House who will make the public service announcement for "We're 4" - if someone from the community is to present it, Mr. Lovering suggested that Mr. Hart deliver same. Also, Mr. Currier requested that the AA ask Mr. House if donations for the Town History constitute receipt of a copy -- is this signing up in advance if you offer a donation.

Mtg. with
reps. of St.
Vartanatz
Church re:
beano sign

At 7:45 PM a mtg. was held with reps. of St. Vartanatz Church on Old Westford Road to discuss the beano sign. Mr. Lovering stated that several residents had complained about the size and design of the sign. When the Bd. granted the beano license it was agreed that the sign would be quite small and would be a parking sign only. The reps. from the Church apologized to the Board and advised the Bd. that the beano sign had been removed last week, upon receipt of the Bd's. letter. When a permanent sign is contemplated, it should blend into the landscaping & present design of the Church, and it should be a small sign. Reps. of the Church advised that the present sign only indicates that the property is the site of the Armenian Church-it is not a permanent sign. When the permanent sign is installed, it will blend in with the Church, and an 8 inch sign will be extended from the bottom of sign for the notice re: beano. The Church officials will provide the BOS with a sketch of same before the permanent sign is installed, for approval by the BOS.

Unfinished
Business

Mrs. Haines advised the Bd. that with regard to the Annual Town Report Cover for the 1976 Annual Town Report, if the Bd. selects the color photograph for the cover, there will be an additional cost of \$800 for the cover, plus there will be a delay in delivery of the reports. If the black & white photograph is chosen for the cover, there will be no additional costs associated with same, and there will be no delay in delivery. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to select the black & white photograph for the cover.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to approve the Police Dept. budget in the total amount of \$1,037,509, which reflects changes approved by the Bd.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to approve the Fire Dept. budget in the total amount of \$1,197,045, which reflects changes approved by the Bd. Mr. Currier suggested that the Bd. delete the \$15,000 for the stabilization fund - Mr. Lovering stated that the FinComm would probably do that, and we should leave it in the budget for the time being.

Mtg. with J.P.
Bienvenu &
L. Rondeau re:
Chapters 825
& 1140 funds

At 8:00 PM a mtg. was held with J. Paul Bienvenu & Louis Rondeau re: Chapters 825 & 1140 funds. Mr. Bienvenu explained his report to the Bd. regarding both chapters dated March 3. Acton Rd. sidewalks are slated to be completed this year which would use up the balance of 1140 funds in the amount of \$17,383.96. Also, under Rev. Shar. funds for sidewalks, we now have a balance of \$41,214 and we could build the Acton Rd. sidewalk under the Rev. Shar. funds & leave the balance of 1140 funds to ^{re-}construct Fletcher St., which will cost approx. \$47,500, and then a balance under 1140 would be approx. \$10,936 which could be used for re-surfacing, etc. At this point, Mr. Hart addressed the problem of flooding on Donna Road. The problem must be alleviated on a long-term basis. Mr. Bienvenu suggested that the necessary work on Donna Road-Farms I-come from Chpt. 825 funds. Under 825 there is a balance of \$82,641.06. \$74,000 has been set aside already for projects under 825 - which leaves enough money for work on Donna Rd-which may total approx. \$5,000. Mr. Bienvenu outlined some solutions to problems on Garland & Walnut Roads which are not very expensive-\$5,300. Mr. Mersereau has not granted an easement to date for High St., Mr. Bienvenu suggested that the easement be taken by emin. domain. He outlined solutions to Warren & Jessie Roads which could be costly. Longview Dr. ties in with Walnut & Garland. Mr. Bienvenu stated that his estimated figures as outlined on these two sheets could fluctuate, depending on which course of action is taken to alleviate these problems, and this could leave a bigger balance under 825. Mr.

Bienvenu stated that the monies must be expended by June 30, 1977. The Bd. agreed to ask the Town Acct. if it is permissible for us to commit the funds by June 30, rather than have all bills paid by then, etc. The Donna Road problem will be added to the list under 825. Mr. Lovering stated that if some of the problems involve easements and eminent domain, it will be impossible for us to expend all funds by June 30-Mr. Lovering suggested that we identify those problems which have no legal delays attached to same, and immediately go out to bid for the projects. The only delay on Fletcher St. is that we have not rec'd. the easements from the residents - Town Counsel is in the process of getting the easements - we will ask Town Counsel for a status report on this. The sidewalks on Acton Road will go from Elm Street to Purcell Drive and will go into the central area of So. Chelmsford. Re: North Rd. & Linwood St-the only problem is that the people will have to sign the easements - there will be no problem with this. Under 1140, we had to earmark & get approval by Mass. Dist. 4 that we would spend \$30,000 on Acton Rd; \$19,000 on other roads, and so on. What we should do now, Mr. Bienvenu said, is ask that the balance of our 1140 funds now be earmarked for the re-construction of Fletcher St. - we must get the approval from Dist. 4. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to request that the State to approve our re-defining of our priorities under this program. Work on Garland Rd. & Walnut Rd. will require easements. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to instruct Paul Bienvenu to implement all of the programs immediately, by going out for bid on the ones which are ready for that step; attempt to get easements on the others; and if Mr. Bienvenu determines that he cannot obtain easements within a short period of time, he will advise the Bd. of this, and will advise the Bd. of the amount of funds available and we will try to put same into another project which does not present any lengthy problems. Easements on Fletcher St. do not appear to present any problem, based upon a public hearing we held.

Mtg. with J.P.
Bienvenu & L.
Rondeau re:
Chapters 825 &
1140
continued

The Board then discussed the Building Inspector's report re: alleged zoning violation at 9 Billerica Road by Archer Appliance. Mr. Currier stated that in the past week, the Board has received much corres. on this matter - from the Bldg. Insp; Town Counsel; and today we received a letter from Mrs. Kilmartin. Mr. Currier suggested that the Bd. take this upcoming week to review all of the corres. received and study the situation - also, we are awaiting a certified plan from Mr. Archer, as requested by the Bldg. Insp. Mr. Lovering stated that he agrees with Mr. Currier, and he is willing to hold until 3/14 for further discussion. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to hold on further discussion of this matter until March 14. Mr. Currier suggested that we hold on discussion until we receive the cert. plan from Mr. Archer - Mr. Lovering suggested that we at least address the status of this matter next week, even if we have not received Mr. Archer's plan.

Unfinished
Business
continued

Item 2 - letter from Myles Hogan re: disposal of wood in the community. Mr. Lovering asked if other locations in Town besides Swain Road would be considered for this because we do have some State requirements re: storage of combustible materials within certain proximity of sanitary landfills - and it may well be that we cannot store same at the landfill. We should consider other locations in Town, perhaps Cons. land. Perhaps charitable organizations would be responsible to take the wood and use it as a fundraising mechanism, in terms of their own organization.

Corres. Sum.

Item 6 - The Bd. agreed to forward comments to Mr. Rondeau in writing re: guidelines for operation & maintenance of the Crystal Lake Dam. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to keep the keys for the locks on the inlet structure and the long shaft-key which goes to the pipeline on the outlet structure, as well as any other lock materials used for the channel structure, at the North Fire Station, because of their accessibility there

24 hours a day - 7 days a week. The Fire Chief will be asked to keep them in a safe place at the North Fire Station, under lock & key.

Mtg. with
County Engineer
& J.P.
Bienvenu
re: Graniteville Rd.

At 8:30 PM a mtg. was held with Philip Lynch, County Engineer, Lyman Patterson, Asst. County Engineer & J. Paul Bienvenu, Consultant for the Highway Dept. re: Graniteville Road. Mr. Bienvenu presented a large copy of the county layout from Westford St. to the Westford Town Line along Graniteville Road. Mr. Bienvenu stated that the County had reproduced to the best of their ability, the 1860 County Layout, which was a 3-rod road laid out from Groton to Lowell. Unfortunately, in this area, there was never a plan prepared of that layout. Mr. Bienvenu had colored in the map in red, yellow and green which indicated abandonments and the county lines & the front lines. The homeowner would be gaining ten to twelve feet in most areas. There would be considerable land takings. The Town owns a considerable amount of land on Richardson Road and in the area of the new High School. The County has been able to re-produce various sub-divisions, which outline each particular lot. In other words, Mr. Bienvenu is suggesting that the Bd. will now take the original layout and adapt it to the present conditions - and make it a 50 foot layout, which is the county minimum on Chapter 90 roads. Mr. Bienvenu suggested thirty foot roundings at School St. There would be at least 7 takings, in minimal areas. If we follow the alinement as laid out by the surveyors, it will cause a minimal effect and we will have a 50 foot county highway to the Westford line. Mr. Lynch stated that if the layout were bound right now, as it is, the street would be upset, that is why the plan is suggesting the least disturbance. All the BOS have to do is submit a letter to the County requesting the layout. The County would take by eminent domain those areas - the County would pay the first instance, then they would bill the Town for the damages. After the taking has been approved by the County Commissioners, the Town will have to hire an appraisor and he will determine costs associated with the takings. After the layout is completed, the County would bound the road with a concrete or granite bound at every change of direction in the road. The County can send us a sample form of the petition requesting the layout, the plan will be re-examined, then the BOS can hold a public hearing (informal) - 8 weeks after we hold our informal hearing, the County will hold their first hearing in the Commissioner's hearing room. If one person objects, another hearing must be held. The brunt of the work has been done, the road has been researched & surveyed. In some cases, the back of the sidewalk will be right on the property line. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to request such a layout from the County. Town Mtg. will be over before anything is completed, and if we need to put an article in the warrant, it would have to go in the next Town Mtg. warrant after this annual Town Mtg. Mr. Lovering stated that he and the Board would like to go on record in appreciation with the Middlesex County Engineering Department for the work they have done for us, not only on this project, but on other projects as well.

A five-minute recess was taken at 9:45 PM.

Mtg. with M.
Hogan, Tree
Warden re:
Insect Pest
Control Budget

A mtg. was held at 8:45 PM with Myles Hogan, Tree Warden re: Insect Pest Control Budget & Tree Warden Budget - Mr. Lovering stated that as Mr. Hogan is elected to the position of Tree Warden, the Board should not consider any budgetary control over same. Mr. Hogan explained that with regards to Insect Pest Control Budget - the Supt's. salary is the same & the expenses are the same. 90% of the funds in this budget are for the removal of trees diseased by Dutch Elm Disease, not for sprays, chemicals, etc. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to approve the Insect Pest Control Budget in the amount of \$12,850.

Corres. Sum.
continued

Item 11 - the Bd. agreed to forward a letter to M. Waldron thanking her for her services as a member of the Board of Appeals. On a motion by Mr. Lovering,

seconded by Mr. Currier, it was unan. voted to ask the Board of Appeals if they feel that there are a sufficient number of alternates on the Bd. of Appeals to insure attendance - if so, the Bd. would not have to appoint a replacement for Mrs. Waldron.

Item 14 - Board discussion re: letter from Geo. Parkhurst re: publication of report on Bicen. Comm. activities. Mr. Currier commented that perhaps the report could be condensed, and placed in next year's Annual Town Report, as funding is quite restricted at this time - this was ^{unan.} voted on a motion by Mr. Currier, seconded by Mr. Palmer.

Item 16 - request from Police Chief for 2 replacements for Officers Wellington & George. Mr. Lovering asked why residence preference was not requested, and the requests were for permanent replacements - Mr. Lovering stated that until we get a report from the Ret. Bd. on both officers, we can only ask for temporary replacements. Mr. Currier stated that we can request local pref. only after requesting and receiving a list - we can reject any name we wish & if we so desire, we can give as our reason for rejection that we wish to appoint only residents. The Bd. agreed to discuss this matter with Chief Germann on Thursday at the Work Session, as well as possibility of providing coverage in the Center with a patrol car, rather than stationing an officer in the Center. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to amend the AA's recommendation to request temporary replacements for Officers Wellington & George.

Item 17 - letter from Chief Germann re: changes to Rules & Regs. & procedure on Informants - the Bd. agreed to hold on this item until Mr. Murphy is present, as he is interested in this subject - this item will be placed on the agenda for 3/14.

Item 24 - letter from COM indicating that our Sealer of Weights & Measures has not submitted his annual report to the Div. of Standards. Mr. Lovering stated that this is a very serious matter, and this is not the first time this situation has occurred. The Sealer of Weights & Measures is paid a considerable amount of dollars in salary each year, and he should be a responsible individual. The Bd. agreed to invite Mr. Ferreira to a Sel. Mtg. in the near future to discuss his position and his duties, as well as the request from the COM.

Item 25 - corres. from Ms. Ellen Mellon re: ads in plastic bags which she continues to receive - she had asked the company to stop delivery. Mr. Lovering received a similar complaint from Mrs. Miriam Smith, 10 Essex Place - on a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to advise both women that this will probably be discussed at Town Mtg., and if they feel motivated enough about this subject, they should attend Town Mtg. to voice their feelings.

Item 26 - breakdown from Chief Germann re: cost for a 1st. year patrolman & patrolman after 3 years - the Bd. agreed to hold on this item and discuss same with the Chief of Police at the work session on Thursday.

Item 30 - Mr. Currier advised the Bd. that he cannot attend the mtg. at NMAC re: Economic Dev. Program Comm., and he requested that the AA attend same on behalf of the Bd. on March 9 at 2:30 PM, as he will be attending another mtg. on March 9 at NMAC regarding a different matter.

Item 33 - letter from Mario Alfano re: additional allocation of Title VI Projects in the near future. The Bd. agreed to hold on this item until March 14.

Item 34 - letter from Chief Germann re: reduction in budget & means to achieve same. Mr. Lovering feels that this letter is quite serious - the reductions

Corres. Sum.
continued

which the Bd. proposed that would necessitate a management change were to be applied to next year's budget, not this year's budget. Mr. Lovering feels that the Chief should be congratulated for his attempts to reduce his budget, however, the Bd. did not ask him to change his dept's. budget in the middle of the year - On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to take this letter under advisement until the work session on Thursday at which time same will be jointly discussed with the Chief & the BOS. At the work ses. Mr. Lovering would like to discuss number of men in cars, etc.

Item 37 - Mr. Lovering stated that he feels that the Bd. should accept the recommendation of the Lib. Trustees re: CETA lib. assts. (2) rather than Mr. House's recommendations, as the Lib. Trustees interviewed the applicants. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to appoint Alice Mooney & Katherine Johnson as library assistants.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the balance of the AA's. recommendations on the Corres. Sum. as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. Hart advised the Board that re: Bd's. request that a variance be applied for re: upcoming Dog Show at McCarthy Jr. High School, he has been advised that a variance is not necessary. On a motion by Mr. Currier, seconded by Palmer, it was unan. voted to grant the license for a Sun. Ent. License to Mr. Fitts for Sunday, June 19, 1977 for the Middlesex County Kennel Club. Mr. Hart distributed a copy of the MGL re: use of school property; purposes to Bd. members.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to instruct the AA to prepare a letter of recommendation on behalf of the Board for Town Planner Robert Flynn, as Mr. Flynn's appointment as Town Planner under the CETA Program is due to expire in June of 1977.

Mr. Lovering informed the Bd. that for the last 2 weeks he has had occasion to remove from telephone polls ads for teenagers wanted 14-17 years of age to work after school & on Saturdays, to earn \$20 to \$40 per week - notices were mailed to the telephone polls. Perhaps our current Town bylaw may cover the distribution of these types of notices. The AA will notify B & B Consumer Sales of Medford, MA of our Town bylaw prohibiting this and ask their cooperation in this matter - this was ^{unan.} voted on a motion by Mr. Lovering, seconded by Mr. Currier.

Meeting
Adjourned

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:35 PM.

For the Board of Selectmen, by

Bonita Perle

Members
Present

Regular Meeting of the Board of Selectmen held March 14, 1977. Members present were: Mr. Hart; Mr. Currier; Mr. Palmer and Mr. Lovering. Mr. Murphy was detained on business and joined the meeting in progress. Mrs. Haines, Adm. Asst., was also present. Mr. Hart, Chairman, called the meeting to order at 7:30 PM.

Boy Scouts
Present

Mr. Hart informed the Board that the following Boy Scouts were present for their citizenship & community badges: Richard Brown; Charles Berry; Richard Bennett; Howard Clements; Daniel Zebny.

Minutes
Adopted

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the minutes of the Sel. Mtg. held March 7, 1977.

Bd. Reports

Mr. Hart reported on an additional drainage problem he viewed with the Supt. of Streets today on Stonehill Drive, off Dunstable Road. After the heavy rains this past weekend, water rushed under the street for approx. 50 - 75 yards, which

caused the street to collapse, and it is impassable. The pressure was released, and then the water flowed freely. Some of the extra funding which we discussed last week with Mr. Bienvenu could perhaps be used for this project. The street will have to be filled and gravelled when the frost is gone. Re: the problem in Chelmsford Farms, the Supt. of Streets informed Mr. Hart that the problem has re-occurred, due to the fact that children in the area are blocking the pipe with rocks and stones. The youths do not realize the problems which they are causing to the Town and to their own fathers & mothers by blocking the pipe. Mr. Hart requested that if anyone in the area notices anyone throwing anything into the pipe, the Highway Dept. should be immediately contacted before the problem becomes any more hazardous.

Bd. Reports
continued

Mr. Hart reported that re: Crystal Lake, there is a problem with some of the debris floating to the surface in the areas where the weeds were not removed. Mr. Loney will contact DeMatteo Constr. Co. and they will be requested to view the problem. The Lake filled to capacity over this past weekend and the water is now running quite freely.

Mr. Currier reported that the 1st. mtg. of the Sen. Cit. Drop-In Center Comm. was held last Friday - Mr. Currier was voted Chairman. Procedures will be set up for re-building the center. Ads will be placed in the Lowell Sun & Newsweekly for an architect immediately. A point system for preliminary selection of an arch. was developed. The firm must be from the Greater-Lowell area to save travel expenses. The Comm. is requesting the Fed. government to release \$10,000 to be put in the bank through the Tn. Acct., for advertising expenses, etc., and legal fees. The next mtg. is April 22, at which time 3-7 arch. firms will be interviewed. Completion date is anticipated at the end of Aug. Sel. Currier will attend the Sen. Cit. mtg. on March 22 to explain the intent of the Comm.

Mr. Currier advised the Bd. that as the Bd's. liason with the Girl Scouts at the Grange Hall, he visited the premises on March 12 - the bldg. is being put to good use and they are manning the bldg. quite efficiently.

A 7:35 mtg. was scheduled with Comm. Stanley & the Sewer Comm., however, Mr. Stanley was not present, therefore the mtg. was delayed until later in the agenda. Rep. Freeman was to have been present; however, the State House was still in Session and he could not be present. Steve Joncas was present from Congressman Tsongas' office.

Mtg. with
Sewer Comm.
Delayed

The AA notified the Bd. that the Library Trustees have requested to withdraw their article re: Carriage House - Town Counsel was notified.

AA Reports

Hghy. Dept. negotiations will be held on March 15 at 10:00 AM.

Approx. one month ago the Bd. had asked the Town Acct. to prepare a list of capital improvements over the next five years - to date, the Bd. has not supplied the AA with any cap. improvements - the AA has listed a few. The Bd. should get this info. to Mr. Day as soon as possible.

The AA was asked to attend a mtg. at NMAC by Sel. Currier last week. She could not attend; however, Mr. Flynn, Town Planner, attended. NMAC has not included Chelmsford's projects in their report, but they will include them in the final report on Econ. Devel. Program.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to allow Mrs. Casserly to fly the Irish Flag on March 17 on the Town's flag pole in front of the Town Hall.

The Bd. received a request from the Pers. Bd. to contact Town Counsel re: funds

Dept. Head
Reports

at a STM.

being set aside for salary increases. The Bd. agreed to hold on this item until the corres. regarding same could be located.

Dept. Head
Reports
continued

The Bd. received two letters from Chief Germann on this date re: Officers Edgar Auger & Sgt. Armand Caron for service above & beyond the call of duty. Officer Auger responded to a house fire while off-duty and entered the bldg. several times to clear the bldg. of occupants and remove the burning object. He had to be taken to the hospital for treatment - Chief recommended that he be given two days off with pay for his commendable actions - this was unan. voted by the Bd. on a motion by Mr. Currier, seconded by Mr. Palmer. The Bd. agreed to hold on the letter re: Sgt. Caron until 3/21, in order that an official copy of the report could be reviewed. A letter of commendation will also be forwarded to Officer Auger.

Re: the Personnel Bd. request to contact Town Counsel, Chairman Hart felt that the letter should have contained more detailed info. re: why the Personnel Bd. wanted to contact Town Counsel. On a motion by Mr. Currier, seconded by Mr. Palmer, it was voted 3 in favor, one opposed - Mr. Lovering, to instruct the Chairman of the Personnel Board to forward the Bd. in writing a more detailed report on why the Pers. Bd. wishes to contact Town Counsel - this should be received prior to the next Sel. Mtg. Mr. Lovering felt that the Bd. should advise the Pers. Bd. that we are not enthralled with their intent re: STM, as we have adopted a very clear position concerning no salary increases this year.

Bid Opening -
Disability
Insurance

At 7:45 PM a Bid Opening was scheduled for Disability Insurance. Only one bid was received. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to open the single bid and take same under advisement. The bid was received from Roger Welch Ins. and the first item was \$50 deductible-\$60 per employee.

Corres. Sum.

Item 1 - Board discussion - letter from R. Welch re: New York Life - the majority of the Board felt that a mtg. should not be scheduled with New York Life to discuss insurance solicitation for Town employees; however, if New York Life would like to contact the employees on their own time, the Bd. would have no objection.

Item 4 - Board discussion - letter from R. Welch re: accident ins. for aux. police. On a motion by Mr. Palmer, seconded by Mr. Palmer, it was unan. voted to take this letter under advisement until a mtg. is held with the IAC in the near future to discuss this matter. Also, the Bd. agreed to contact the MLC&T to request that they forward us with some info, if they have compiled any, as to how other cities & towns treat this same subject.

Mtg. with W.
Roberts re:
Taxi License
Request

A mtg. was held with Willard B. Roberts re: his request for operation of a taxi in Chelmsford. Mr. Roberts appeared before the BOS last year requesting a taxi license. The AA stated that currently, the only taxi service is in North Chelms. from Mr. Anderson. Mr. Roberts' rates would be the same as he indicated last yr. in his letter to the BOS. He would station one or two taxis in Chelmsford, depending on the need. He would have a dispatcher from Lowell and keep the taxi(s) in Town from 7 AM to 7PM. If there any changes in price, etc., Mr. Roberts would forward request for same to the Bd. in writing. There is a taxi stand in Central Square presently. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to grant a license to Bill's Taxi for operation in Chelmsford.

At 2:15 PM Mr. Murphy arrived at the mtg. A five-minute recess was taken at this time.

A mtg. was held with the Chief of Police Robert Germann, Rec. Comm. members: Robert Charpentier, Paul Murphy; Varney Playground Commrs: H. Ayotte; R. McManimon; H. Tucker; CLRC members: E. Polubinski & H. Neild re: recreational activities at Crystal Lake. Lengthy discussion was held regarding swimming & recreational plan at the Lake. The Varney Playground Comm. expressed their great concern re: safety of youths swimming at the Lake. The Rec. Comm. had put together a plan for rec. at Varney Playground which included swimming at VP. The VP Comm. feels that there is insufficient parking at that location and there are no toilet facilities there. Mr. McManimon spoke with No. Chelmsford Water Commissioners and was advised that they do not intend to allow any land at the NCW Dept. to be used by the Rec. Comm. for parking, etc. along the lake. The Rec. Comm. stated they do not feel that only residents in the area of the Lake should be allowed to use it. Mr. Murphy (Rec. Comm.) stated that the life guard would be on duty from 9AM - 2:30 PM; another life guard would be on from 2:30 PM to 8:00 PM. Sel. Murphy asked if a beach could be opened without toilet facilities - the BOH should advise us of this; Sel. Murphy further stated that there is a continued problem at the beach re: use of ballfield and continued parking there. The no-parking must be strictly enforced in that area to protect the residents. Sel. Murphy requested that we obtain a report from the Chief in terms of parking all over Town - violations of same - the report should be expanded to include a section of parking violations at Varney Playground. Sel. Murphy asked if a new committee would be formed to handle the long-term operation of the Lake. Mr. Polubinski stated that there are still a few loose ends which the CLRC must tie up; however, when their work is finished at the Lake, the Comm. should be disbanded. Chief Germann stated that he feels that many persons who do not reside in Chelmsford, or even in the Greater-Lowell area will want to take advantage of use of the Lake and we need parking facilities. He further stated that we should have bath house facilities to insure that we won't have a sanitation problem. He further stated that the Police Dept. only has one cruiser in that area, and they cannot be there continually - more protection either in the form of life guards or added police patrol will be necessary. Sel. Murphy stated that he feels that the townspeople should have an opportunity to voice their opinion as to whether or not they want a beach at the Lake on Town Meeting floor - Mr. Murphy (Rec. Comm.) stated that the Fin. Comm. advised the Rec. Comm. that they would reconsider their budget if the lake was filled by Town Mtg. - money could be put back into the Rec. Comm. budget. Previously, the VP Comm. was advised by the State that the beach was in violation of 70% of the code re: sanitation. We will have to comply with the State Sanitary Code for the operation of beaches in the Commonwealth. Mr. Murphy (Rec. Comm.) suggested that portable toilets be installed at the beach, if the BOH approves of same. Sel. Murphy stated that perhaps there could be a STM within the ATM to address a set of Rules & Regulations for use of the lake. The Bd. agreed to request the Board of Health to determine 1) Is a toilet facility a requirement at a public beach; and 2) Does the existing facility there now meet acceptable standards. It was agreed that a separate committee should be formed to coordinate the future use and care of the lake, consisting of reps. of the Rec. Comm., Cons. Comm., Varney Playground Comm., and CLRC. It was agreed further that the Rec. Comm. & VPC will come back to the BOS within two weeks with recommendations of both Comms. with a proposal for use of the beach. The Chief of Police will add a separate section in his parking report to the BOS to include parking at the Lake, and the area around same.

A mtg. was held with Atty. Howard Wayne representing Norman Prendergast, Stuart St. Chowder Society. The Bd. had invited the mgr. to the Sel. Mtg. to discuss use of the premises on Chelmsford Street and the Beer & Wine License at the SSCS. The original license was granted on Nov. 22, 1976, and to date, the bldg. has not been renovated nor has the license been used at this location for the sale of beer & wine. Atty. Wayne introduced Atty. Anthony Dedusus who represents Brigham's, who informed the Bd. that the delay in renovating the premises is due to the fact that the architect is from California (Ben-Mare Architects)

Mtg. with CLRC
Pol. Chief;
Rec. Comm. VPC
re: use of
Crystal Lake

Mtg. with N.
Prendergast re:
Stuart St.
Chowder Soc.
Wine & Malt
Common Vic. Lic

and he intends to use the Chelmsford SSCS as a model for others around the United States - therefore, they want the premises to be completely re-designed which should be finalized by August. The decor package will be finalized by the end of August, and it should take approx. 12 weeks after that time before the license will be used (Nov. of 1977). Mr. Lovering informed the reps. that he was prepared to rescind his previous vote granting the Beer & Wine License to SSCS, in as much as they have not exercised their license to date. Atty. Wayne stated that the floor plan has not changed since his mtg. with the BOS in Nov., 1976. The Bd. agreed to hold on a vote on this matter until we receive an opinion from Town Counsel re: what rights we have regarding revocation of this license, etc., and this item will be placed on the agenda for the Sel. Mtg. on March 21.

Mtg. with Rep.
Philip Shea
re: Legislation

A mtg. with Rep. Philip Shea was held to discuss Legislation. Rep. Shea reviewed his position on some 20 pieces of legislation, which were as follows: 1) prevent compulsory & binding arbit. renewal-no; 2) exclude mgm.pers. from col. barg.-no; 3) clarification of strike rights-no; 4) limit retro. provisions of col. barg.-no; 5) limit scope of barg. issues-no; 6) allow delegation of membership to county adv. bds.-yes; 7) creation of pers. retir. fund for mgrs.-?; 8) tn. resident use of st. park facilities without cost-yes; 9) home plumbing allowed without license-no; 10) study bill on state bldg. code-no; 11) tax incentive for new business/indus. constr.-yes; 12) prohibit st. from imposing costs without st. funding or local acceptance-?; 13) pre-payment of auto excise taxes-yes; 14) support of cost control MBTA operation-yes; 15) cut fiscal auton. of school comms. by 4/5 vote-no; 16) elderly betterment deferrals-?; 17) st. takeover of 100% MBTA deficit-no; 18) fiscal home rule for counties-?; 19) rescission bill-?; 20) cost impact statements on new legislation-no. Rep. Shea discussed at great length his opposition to the legislation re: comp. & bind. arbitration - Bd. members advised him of their position regarding their opinion regarding this legislation. Rep. Shea stated that he was very pleased that Chelmsford will be represented as a whole under the new Redistricting Plan. Mr. Murphy advised Rep. Shea of Chelmsford's bad experiences with compulsory & binding arbitration in the past few years. Mr. Murphy informed Rep. Shea of his opinion re: rescision of previously accepted statutes. Rep. Shea stated that he will forward the BOS with copies of Legislation he has filed this year. Mr. Hart stated that with regard to the Cherry Sheet - he feels that the people in Chelmsford cannot afford an increase on their tax rate due to the decrease in Chelmsford's Cherry Sheet allocations from last year. Chelmsford was the third hardest hit town in the State - our Cherry Sheet figure was the third highest in the State - Rep. Shea stated that he will inform the Comm. on Ways & Means of Chelmsford's displeasure with the figures. The \$1,504,000 figure represents \$6 on the tax rate, in addition to other increases which will occur. Our cut is about 25%-the majority of the cuts are involved in education. Mr. Murphy stated that the Gov. is funding both Chapter 766 and Chapter 70 out of the same fund-the dollar figure as a result of management of Ch. 766 is \$463,000, and it looks like it will continue. No new money has been appropriated to pay the new costs of that program - there are real needs; however, they are not being funded by the Gov. Human services money has not come yet either. The State has been neglectful of seeking some 60 million dollars in Fed. funds which can well be applied to this program under Chapters 19 & 20 of the nationwide Soc. Sec. Act. Mr. Murphy feels that no new money should go to 766 - it should be capped until there is new money put in to fund it - Rep. Shea was asked to put these ideas in his thought process when the budget comes before the Legis., perhaps there are some ways to amend it. Re: Com. Dev. funds, Mass. will lose one-third of all Com.Dev. money if this goes through this yr. Rep. Shea predicted that the City of Boston will not be able to meet its payroll by July of 1977. The Board thanked Rep. Shea for attending the meeting and explaining his position on legislation.

A mtg. was held with Mr. Joseph Gutwein, Mr. Matthew Doyle and Mr. Ted Rapallo of the Sewer Commission and Mr. John Larkin & Mr. Matusky members of the Sewer Comm's. consulting firm re: sewerage program. Mr. David Stanley was supposed to attend the mtg. on behalf of Ms. Evelyn Murphy, Sec. of Environmental Affairs; however, he did not attend the mtg. No word was received from him informing us that he was not able to attend. Steve Joncas from Cong. Tsongas' office was present also. Mr. Doyle stated that due to time restraints, etc., the program which was presented to the State will not happen - there is no way which the Sewer Comm. could get the funds before July of 1977. Mr. Matusky briefed the Bd. members with events which have occurred during this last week with meetings he has held with the Lieut. Gov. and reps. of Sec. Murphy's office. Michael VanTreska, aide to Ms. Murphy & Mr. Stanley spoke to him. The date which the consulting firm had planned to have Chelmsford submit drawings & applications for the funds for the sewerage program was scheduled for Sept. of 1977, which was to have been the end of the program. Mr. Matusky outlined the steps which his firm has gone through re: sewerage program, to date. There was a definite amount of encouragement from the State re: implementation of the plan-our environmental assessment was filed with the State on Sept. 30, 1976; however, as of this date we have not received any answer from the State re: the adequacy of the report, i.e., whether its findings were correct or incorrect. The Sewer Commission has submitted formal requests to the State for their response, but they have not received any input. Through efforts of the Lieut. Governor, Mr. Matusky was able to meet with reps. of the Sec. of Envir. Affairs. Mr. VanTreska tried to determine if there was an abbreviated program which Chelmsford could pursue because Comm. Stanley made it quite clear that the dates re: proposal were not in his hands - the EPA mandated periods - not only would the program terminate in Sept. of 1977 - but the State required July 1, 1977, as the date for all submittals. The complaints Mr. Matusky received were 1) where was our response to the report; and 2) why did it appear that some of the problems in Lowell, which was the logical, cost-effective solution proposed among other possible solutions-why, when this was indicative rather early in the study, why didn't some of the problems such as inflowing filtration problems in the interceptors that we were going to tie into with Lowell-why wasn't this brought to our attention as being a possible reason why that wouldn't work; why was the question of sludge disposal not brought out in the course of our study when we would be contributing more sewerage and presumably, more sludge into that system. None of these issues were brought forward in the course of our study and many communications with the Div. of Water Pol. Control-when we filed the report, finally and slowly, bits of problems are appearing. Now it appears that Chelmsford can't be approved because Lowell doesn't have something and Chelmsford wants to tie into Lowell because it can't reasonably build its own treatment plant - and this is the 'logjam' which is discouraging all of us. Mr. Stanley was asked to help us with the 'logjam' - the dates were a big problem for him, but he understood our problem-on Friday he was supposed to call a mtg. of his staff re: Chelmsford/Lowell program. On Sat., Mr. Matusky received a call from Mr. VanTreska asking what type of alternative program Chelmsford would look for. It was pretty well described in the program we submitted which could possibly be constituted by contracts 8, 9, and 10, 102 and 103-which represented about 12 million dollars worth of work - this would also make sense in terms of backing into that July 1, 1977 date in terms of some plans for construction which are already available. In terms of being involved in a grant program which is funded, this is the only viable solution at this point in time. A similar program may be thrown out to us in 1978. No one knows if this money would be available for laterals in 1978, as in the past EPA has funded only treatment plants and interceptors. Mr. Matusky was asked by one of the State Commissioners if Lowell & Chelmsford had developed an agreement to date-the answer is no, and Mr. Matusky indicated that Lowell & Chelmsford would hold discussions, and Lowell would consider proposals from Chelmsford. Mr. Lovering stated that there is no way in which Chelmsford could sign an agreement with Lowell to accept all of the sludge from the Lowell facility. Mr. Matusky

Mtg. with Se-
wer Comm. &
Consult. Firm
re: sewerage
proposal

Mtg. with
Sewer Comm.
continued

suggested that technical discussions with the City Engineer's Office of Lowell should commence & Mr. Keely from the City Mgr's. Office. Mr. Hart did not realize that the Sewer Comm. rep. on the sub-committee with Mr. Hart was Mr. Rapallo, as was stated at the Board's last mtg. with the Sewer Comm. He apologized for his error, and he stated that he would telephone Lowell on March 15 to set up a mtg. with our sub-committee & Lowell. The Sewer Comm. stated that they have to go before the Townspeople to explain events which have taken place to date. Mr. Gutwein stated that at present, the Sewer Comm. wants to get some type of approvals from the State and proceed with a partial part of the program we could begin shortly. It was agreed that the AA would telephone Comm. Stanley's office to determine why he did not attend this evening's meeting as planned. Mr. Murphy stated that it appears that the delays being caused by their refusal to address the problem has financial ramifications for Chelmsford and he asked if it was possible for the Town of Chelmsford to bring suit against the Dept. of Envir. Engineering to reach a definitive decision. Mr. Matusky stated that we could not, in his opinion, bring suit as funds come from the EPA. Until we meet with Lowell, we will be deficient. Mr. Lovering stated that the issue of Chelmsford's acceptance of Lowell's sludge should not be the criteria involved in this whole project. Mr. Hart will contact Lowell re: two issues- sludge and we should expect Lowell to take some initiative for the tie-in for Chelmsford into Lowell they have our approach. Mr. Gutwein stated that we have every indication from the City Mgr's. office that Lowell will initiate the tie-in proposal, however, the final vote rests with the City Council.

Unfinished
Business

The Bd. discussed reports received from the Bldg. Insp. & Town Counsel re: Archer Appliance Co., 9 Billerica Road. The opinion from Town Counsel informed us that we should always expect a response from the Bldg. Insp. on inquiries we forward to him for his review within fourteen days-the Bd. agreed that the Bldg. Insp. should be reminded of this obligation. The Bldg. Insp's. letter advised that the owner of the property, Mr. Archer, should bring a plot plan and a certification from a Registered Engineer certifying that the parcel of land is properly zoned for business which Mr. Archer intends to operate. On a motion by Mr. Currier, seconded by Mr. Palmer, it was voted three in favor, two opposed-Selectmen Murphy & Lovering, to instruct the Town Engineer to furnish the BOS with a Certified Plot Plan of the Archer Property, located at 9 Billerica Road, and certify that the parcel of land is properly zoned for business, if the plan reveals same - this info. is requested prior to the March 21 mtg. of the Selectmen in order that same may be discussed at that time. Mr. Murphy does not wish to spend Town money to get a cert. plot plan - he would rather wait for Mr. Archer to forward his plan, as requested by the Bldg. Insp. Town Counsel has furnished the Board with several alternatives which the Board can take in the event that the land is properly or not-properly zoned. Mr. Lovering feels that in questionable cases whether the Bldg. Insp. does or does not have knowledge whether something is legitimate - the course of action to take is not to issue a permit & make believe the problem may go away; but to, in fact, interpret stringently the requirements, such that the burden is placed upon the applicant and not to the Town to prove a point and save the taxpayers & the applicant money. Town Counsel's corres. states that "If the officer charged with enforcement of zoning ordinances or bylaws is requested in writing to enforce such ordinance or bylaw against any person allegedly in violation of the same and such officer or board declines to act, he shall notify, in writing, the party requesting such enforcement of any action or refusal to act, and the reasons therefore, within 14 days of receipt of such requests." - Mr. Lovering wondered aloud if the BI interpreted the memorandum from the BOS asking him for a position on this as being such a request, so that the letter which he sent to Mr. Archer (of which the BOS rec'd. a carbon copy) is the legal requirement which he is meeting as it falls within the 14-day period of that section. Mr. Lovering is convinced

that the place to solve this problem is not with getting another engineering plot plan, and he will vote against that. Mr. Lovering feels that the place where this problem will be solved is in the courts. Mr. Lovering suggested that the Bd. determine a date by which they wish to receive the plan from Mr. Archer, and set up a mtg. with Town Counsel, the Bldg. Insp. and the BOS to collectively decide their disposition, as mentioned in his letter. The issue is what are the Town of Chelmsford's zoning requirements on 9 Billerica Road. Mr. Archer had asked the Board of Appeals to hear the case; however, they informed him that they could not hear the case because Mr. Archer has an occupancy permit, and according to the occupancy permit, Mr. Archer is not in violation of the zoning. Mr. Lovering stated that he is concerned that with regards to our rights to appeal, we must take action prior to April 6 to be within the 30-day period. Mr. Hart read a letter from the Planning Board indicating that the Pl. Bd. had requested an opinion from Town Counsel prior to March 9 re: whose responsibility it is to determine whether such a violation does exist, and the Pl. Bd. questions whether the BI is singularly responsible for the interpretation & determination of zoning bylaw violations. Mrs. Kilmartin stated that Archer is still working on the outside of the bldg., and the sign is still up advertising the business on the front lawn of the property. On a motion by Mr. Currier, seconded by Mr. Palmer, it was voted four in favor, one opposed-Mr. Lovering, to forward the BI a priority letter requesting that he advise the Bd. in writing prior to March 21 a clarification of para. 4 in his letter dated March 7, which is as follows: "This letter shall constitute a stop work order and no further work should take place at this location before I receive the above mentioned plan."(sic) - does this sentence mean a) that Archer Appliance Co. can no longer sell appliances; b) that Archer Appliance Co. can no longer work on the building under the building permit; or c) that Archer Appliance was issued a Stop Work Order on their occup. permit.

Unfinished
Business
continued

On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to suspend the Selectmen's Rules re: meetings, and continue the mtg. after 11:00 PM.

Mtg. Rules
Suspended

The Bd. discussed the reports from the Police Chief re: Additional Patrolmen; Overtime Reduction Policy and Pol. Dept. Rules & Regulations. Re: additional patrolmen, Mr. Murphy stated that he totally rejects the \$5,000 cost which the Chief attributes to additional patrolmen - he feels that this amount is an inflation of the true facts. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was voted four in favor, one opposed-Mr. Hart, not to accept the Chief's contention that in fact it is cost-effective to continue to hire people at time and one-half - the figures show that there is a cost-savings to put them on, and we reject a \$5,000 inflation figure. Re: Overtime Reduction Policy, Mr. Lovering commented that last Thursday evening he and Mr. Hart and the AA had a work session with both Chiefs and this item was discussed, as well as the total budget situation. The simplification is that the Chief of Police believes that his contract doesn't give him latitude to achieve the reductions necessary to get his budget down to the dollar figures that the Bd. previously wanted to vote - he thinks he can do it, but it means a decrease in services to the extent where he may have to take someone from the Detective Bureau if someone is out sick, and for that shift the Det. Bur. person will be working in a patrol car. Also, when there are two sergeants on duty on the early night shift, in the future he may have to only have one sgt. on duty on the early night shift. Also, the Chief & Capt. Campbell are there during the day, and they can cover for a sgt. who is out sick. The contract would allow them, through these types of changes, to achieve the dollar amount voted by the BOS; however, he appealed to Mr. Hart & Mr. Lovering not to vote that amount, as the Chief would like the Bd. to put the sgt. back in and to give the Chief \$30,000 because it would be a lot easier to achieve the target. In other words, he would be willing to take the cut; but he would like the \$30,000 put back into the budget, but he did state that he can address

Unfinished
Business

Unfinished
Business
continued

the figure voted by the Board with the previously-mentioned transfers of employees. The Fire Dept. contract is such that the Chief does not have this type of flexibility and it would be impossible to shut down one Fire Station or to have a truck manned by only one fireman, in order to achieve the number voted previously by the Bd. Re: Police Dept. decrease in services, Mr. Lovering feels that they are not substantial decreases which would hurt the Town, and he feels that the Chief should be allowed to implement them for next year's budget and also for the present time to save money. Re: Fire Dept. decreases, Mr. Lovering reluctantly concluded that the contract prohibits those reductions and we must use the number submitted by the Fire Chief. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to authorize Chief Germann to implement the policy, if he deems it appropriate, and on the two budgets, we will adopt the lower number for the Police Dept. and the numbers submitted by Chief Reid. Re: Police Dept. Rules & Regulations, Mr. Lovering noted that in the area of internal investigation, he thought that Mr. Murphy had some language in his comments to the Chief re: requiring the Chief of Police to notify the BOS regarding significant matters that come up in the internal investigation area. Mr. Murphy stated that he would have to review his comments to determine if he had asked the Chief to include a section on this subject. Mr. Lovering suggested that if it was not already requested to be added, he would request that it be added now. The Bd. agreed to hold on this until March 21 until both Mr. Lovering & Mr. Murphy can check their notes on this matter.

Mr. Hart stated that we do not have the criteria for Title 6B-CETA, therefore, we will hold on this until 3/21/77. Mr. Murphy read where the project will run from 6 to 12 months and employs 3 to 25 people. He suggested that we could hire CETA employees to help out with our drainage problems - removing stones & debris; also, at Crystal Lake there is quite a large amount of debris floating on the lake which these persons could remove, if DeMatteo is not required by contract to clean this area and remove the debris.

The subject of a mechanic for the Police & Fire Depts. was discussed with the Chiefs at the Work Session held last Thursday. The mechanic at the Fire Dept's salary would not include any, (if any-very little,) overtime. The mechanic in the Hghy. Dept. would receive overtime. The present salary in the Hghy. Dept. is not attracting the type of person we really need to operate on the equipment in the Fire Dept. Perhaps the salary for FD mechanic should be raised to \$15,000, rather than the present amount of \$11,752 per year. We are talking about a \$4,000 increase in the FD budget. Mr. Lovering would support this, if the BOS agreed that before they make a decision on hiring, that we would advertise and study carefully what other communities have done in this area in regards to solving the problem so that we could be satisfied from a cost/benefit standpoint. Mr. Murphy suggested that if we are going to put an article in Town Mtg. for a different salary, he would like to see a maximum figure included in the budget for flexibility. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to list the salary for FD/PD mechanic from \$11,752 to \$15,000-\$15,000 being the rate of pay for the Captain.

Corres. Sum.
continued

Item 3 - letter from Roger Welch in response to inquiry from Bd. as to reason Ins. Dept. budget increased so much this year. The response was not detailed enough. On a motion by Mr. Murphy, seconded by Mr. Currier, it was unan. voted to request a more detailed description from Mr. Welch of all the changes on the budget request.

Item 7 - Mr. Murphy commented that Rep. Hatch's figures in his letter to the Bd. may be incorrect re: Chapt. 766 & Chapt. 70 costs.

Item 9 - letter from Sen. Brooke re: public works funding - Mr. Murphy commented that we are losing a lot of money because we do not adequately staff our applications for funds, etc.

Item 15 - Board discussion re: letter from Rep. Freeman re: redistricting plan. The Bd. agreed that we had previously requested that Rep. Keverian contact us re: any changes in the redistricting plan for Chelmsford, and he did not ask us for any comments re: the redistricting plan, as was stated in Rep. Freeman's letter.

Item 20 - On a motion by Mr. Lovering, seconded by Mr. Palmer, it was unan. voted to instruct the Treasurer/Collector that when he forwards the Bd. notes to be signed, he should include in his request descriptive information - interest rate, estimated re-payment schedule, and whether the note is short-term or long-term.

Item 23 - Board discussion on letter from J. Paul Bienvenu re: street acceptances for Picadilly Circle; Baldwin Road; Brush Hill Road; Lasa Lane and Ideal Ave. Ext. On a motion by Mr. Lovering, seconded by Mr. Palmer, it was unan. voted to take this report under advisement until after Town Meeting and we can then use this letter as the basis for making our vote on Street Acceptances when the BOS votes on same.

Item 32 - letter from Wm. Dempster re: mileage for 2 custodians at East School - the Bd. agreed to request Mr. Dempster to forward the BOS with a complete breakdown of what the mileage is for - it is not to exceed \$25.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the Adm. Asst.'s. recommendations on the Corres. Summary, as amended, and to include same in the minutes of the meeting by reference.

Mr. Currier moved the appointment of John Emerson as CETA Asst. to the Health Officer - vote was four in favor, one present - Mr. Lovering.

Unfinished
Business
continued

On a motion by Mr. Lovering, seconded by Mr. Currier, it was voted 4 in favor, 1 opposed - Mr. Murphy, to request MEC ^{to install} street lights, 4,000 lumen, on pole 283 & 288 on Spring Street, as they are close to the Crystal Lake Dam. 8 9

New Business

Mr. Hart stated that the FinComm. asked the BOS to furnish them with input re: re-zoning of property on Summer St. to re-zone in area of Center Deli. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to go on record that the BOS are totally opposed to the articles re: change in zoning on Summer St. in area of Center Deli.

Mr. Murphy informed the Bd. that the Comp. Perm. Comm. will be meeting on March 17. - He left some info. re: his Congressional visit in Washington in the Reading Folder for the Board's review.

Mr. Murphy had been advised of a problem on Bridge Street re: visibility coming down the hill. Mr. Greenhalgh stated the problem to Mr. Murphy, and Mr. Greenhalgh is willing to part with some footage on his lawn if the Town would like to move back the wall to create better visibility in that area (4 Bridge St). Mr. Murphy stated that perhaps funds for this could come from the area suggested by Paul Bienvenu at his mtg. with the BOS last week. Mr. Bienvenu will be asked to look into this to see if it would make sense to move the road back a few feet in this area.

Mr. Murphy advised the Bd. that last week he read that MEC is leaving the Highland School. Mr. Murphy suggested that a comm. be formed to investigate long range planning re: these bldgs. Mr. Lovering suggested that the Town Planner be assigned to this project. This matter will be placed on the Agenda for discussion on March 23.

New Business
continued

On a motion by Mr. Murphy, seconded by Mr. Currier, it was unan. voted to forward a letter to the Bldg. Ins. re: vacant ^{corner Hall's house} Bldg. on North Road; exposed foundation near Crystal Lake Dam; in back of the bowling alley there is a garage with broken windows and no locks on the door, requesting action by his Dept. on these safety hazards.

On a motion by Mr. Murphy, seconded by Mr. Currier, it was unan. voted to forward a memo to the Bldg. Ins. re: sign violations - illegal real estate signs on Old Westford Rd. & Westford St., and in Drum Hill there are a great number of illegal signs - either the Chief of Police or Bldg. Insp. should begin to remove same.

Re: pictures of the Bicentennial for the Town Report, the Board agreed to ask the AA to determine costs associated with enlarging four color photos to 5 x 7 black & white prints for the Town Report. If costs are not too high, the photos will be developed for the report. The Tn. Report will not be available Election Day.

The Bd. advised the AA to determine if the McCarthy Jr. High School is available for Town Meeting, rather than the new High School Gym - if it is available we can hold Town Meeting at the McCarthy Jr. High School. The AA will advise the Bd. of her findings. This was in the form of a motion by Mr. Murphy, seconded by Mr. Currier, unan. voted by the Bd.

Mr. Murphy stated that there is a problem in So. Hadley, MA, re: sick-leave buy back - the principal of the So. Hadley HS is suggesting that this is changing his base pay, and that it should be considered in his retirement. We have sick-leave buy back also. The Bd. agreed to notify our Col. Barg. reps. that it should be noted clearly in the contract that sick leave can be bought back, but it cannot be used in terms of modification of base pay - the same thing exists in terms of longevity.

On a motion by Mr. Murphy, seconded by Mr. Currier, it was unan. voted to instruct Jerry House to organize our plan for Neighborhood Youth Corps workers immediately.

On a motion by Mr. Lovering, seconded by Currier, it was unan. voted to instruct the AA to get, through the Town Engr., some type of brief report and plan concerning how we plan to finish off the sidewalks on North Road.

On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to forward the Cons. ^{memo} Comm. re: piles of fill on property at corner of Chatham Rd. & Warren Ave., and ask them to advise us if they feel that the fill is proper in that location; and ask the AA to find out who owns the property & what the potential use of the area is by the owners.

Re: Town Meeting Articles - the Bd. will schedule an evening next week to review their position on Town Mtg. Articles.

The Chairman of the Pers. Bd. & Mr. Lovering will meet to discuss Town Engineer on March 23 - he will provide the Bd. with a report on the position & Job Description possibly on March 21 for the Bd's. review.

Mr. Lovering commented on the Cherry Sheet as follows: 1) he understands that there is a possibility that we do not agree with the treatment which we received under Special Bd. Chapt. 766, in which case the Town Acct. should be re-searching that-as we may appeal, based on the Tn. Acct's. findings; 2) We have an obligation to find out more on the new Cherry Sheet distribution formula - it obviously favors the cities and penalizes the Towns - Mr. Lovering feels that the communities are paying, now, for many of the cities problems, and with the weight of Fed. monies being given in the same fashion and he feels that we

New Business
continued

should fight our battle to the bitter end. Mr. Hart stated that Rep. Freeman telephoned him over the weekend to voice his dis-satisfaction with the figures as far as Chelmsford is concerned. Rep. Freeman informed the AA today that the Office of Administration and Finance is meeting on March 15 to review Cherry Sheet figures. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to send a telegram to the O&F Tues. and inform them that we wish to meet with them asap to discuss Chelmsford's views on our allocation on the Cherry Sheet.

On a motion by Mr. Currier, seconded by Mr. Murphy, it was unan. voted to instruct Jerry House to forward the Bd. with three names for each ^{of the 3} positions under the CETA Program for which the BOS is to do the interviewing. Mr. Hart reminded the Bd. that any decisions re: interviews, etc., should be made before the 5-man Board. The Bd. reserved the right to add names for the interviewing list.

Mr. Currier moved that the Board adjourn to Executive Session at 12:24 AM to discuss negotiations. Chairman Hart polled the Board-Roll Call was as follows: Mr. Currier-Aye; Mr. Palmer-Aye; Mr. Murphy-Aye; Mr. Lovering-Aye; Mr. Hart-Aye. The vote was unanimous.

Adjourn to
Exec. Session

At 12:35 AM the Board, on a motion by Mr. Currier, seconded by Mr. Palmer, unan. voted to re-convene to the Open Meeting.

Reconvene to
Open Meeting

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adjourn the meeting. The meeting adjourned at 12:36 AM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held March 21, 1977. Members present were: Mr. Hart; Mr. Currier; Mr. Palmer; Mr. Murphy and Mr. Lovering. Mr. Hart, Chairman, called the meeting to order at 7:30 PM. Mrs. Haines, AA, was also present.

Members
Present

Chairman Hart read a letter of congratulations to Mr. Edward Harris, 19 Galloway Road, on achieving Honorable Mention in the 1976 Annual Town Report Cover contest. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to sign and forward the letter to Mr. Harris, whose entry will appear in the 1976 Annual Town Report.

Award of
Town Report
Cover

Chairman Hart read a letter of congratulations to Bonita Towle, 7 Albina Street, on being awarded First Prize in the 1976 Annual Town Report Cover Contest. Mr. Hart presented Miss Towle with a \$25 bond for achieving First Prize. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to sign and forward the letter to Miss Towle, whose entry will appear on the cover of the 1976 Annual Town Report.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the minutes of the Selectmen's Meeting held March 14. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the minutes of the Executive Session held March 14 and to withhold release of same to the public until the Board deems that this is appropriate.

Minutes
Adopted

Mr. Currier reported that Fire Dept. negotiations were held today at 4PM, and Police Dept. negotiations were held at 5PM-we are still negotiating both contracts.

Bd. Reports

Mr. Murphy reported that last Thurs. evening the 1st. mtg. of the Comp. Perm. Comm. was held under the joint chairmanship of Mrs. Pease & Mrs. Stark. The Cons. Comm. is preparing a flow chart re: requirements for subdivisions. They will contact the Dept. of Comm. Affairs re: a south shore case study. No reps. were present from the Bd. of Health, Bldg. Insp. Dept., or Planning Bd. We will send a reminder to the BI in the future regarding these mtg. dates, as it is quite important that he attend same.

Comm. Reports

Mr. Watt from the Comm. to Update Town Hist. has asked permission to have a CETA employee go through 17 volumes of records at the State House to determine which Chelmsford residents are Viet Nam Veterans. The Bd. agreed to instruct Jerry House to perform this task.

Dept. Head Reports

The AA advised the Bd. that the Town Clerk inadvertently omitted overtime for her clerks' in her budget for this upcoming election. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to allow her to charge same to the Election Account.

The Bd. agreed to hold on some of the articles reviewed with the Fin. Comm. on March 17 until the Bd. discusses ATM warrant articles.

Board Reports
continued

Mr. Hart advised the Bd. that he has been viewing Crystal Lake on a daily basis since the gate was originally opened - the Supt. of Streets has been viewing it also, as has the Bldg. Insp. No one is satisfied with the work, as there is seepage on the outlet canal. The work should have been done properly under the original contract. Also, the boards which are supposed to hold the water from going down the canal don't effectively hold the water - there is a difference of three inches from the height of the lake to the level of the canal which is not satisfactory. Mr. Loney & a rep. from DeMatteo were at the site of the dam last week inspecting the growth left in the middle of the lake - a change work order may be requested of the BOS to remove this material. DeMatteo was not paid for removing this material in the contract. There still are funds available for removal of this debris from the lake. Two areas are still leaking in seams, and they should not be still leaking. The State inspected this area and didn't seem to think that there was any problem; however, Mr. Hart feels that we should have an affidavit from the appropriate party to prove that there are no problems before the Town accepts something like this. The 12 foot concrete slabs are leaking on two sides. We should look into all of these areas. The Bd. agreed to meet with Mr. Loney on Saturday at Crystal Lake at 11:30 AM to discuss and view these matters, as well as to view the inlet structure & problem associated with same. The Bd. agreed to send a memo to the BOH requesting that they inform us if they have taken any action re: pollutants entering the lake via Stoney Brook. We cannot request the State to stock the lake until the lake has been filled for one year. The AA will check to determine if this was the information the Dept. of Natural Resources gave us last year & advise the Bd. of her findings.

Public Hearing
St. Acceptance
Brush Hill Rd.

At 7:45 PM a Public Hearing was held on the Street Acceptance of Brush Hill Rd. The Bd. is in receipt of a memo from Paul Bienvenu advising that the street is in condition for St. Acceptance. The as-built plan is not available - we have a basic layout of the sub-division plan. Donald Moncreaff, 5 Brush Hill Rd., stated that after the plowing, the street was cracked in the center. Mrs. John Wadja stated that the manhole cover has sunken a few inches due to the snow-also, there may be some drainage problems at the end of the road near Rte. 27. The Bd. suggested that the Consultant for the Hghy. Dept. investigate Mrs. Wadja's complaint re: manhole cover & advise the Bd. what can be done to rectify this matter. No other residents were present wishing to address the issue of street acceptance. Mr. Hart declared that the hearing was closed, and he explained to the residents the steps involved in st. acceptance.

Mtg. with A.
Ferreira re:
position of
Sealer of
Weights &
Measures &
reports.

A mtg. was held with Anthony Ferreira, Sealer of Weights & Measures re: his position & reports. Mr. Hart informed Mr. Ferreira that we have received several complaints from Mr. Donald Falvey of the Dept. of Standards re: Mr. Ferreira's non-submittal of his 1976 reports. Mr. Ferreira stated that due to the bad winter and weather conditions, he was unable to make his inspections within the required time, and that was the reason he had not forwarded his reports to the Div. of Standards on time. He further stated that he had not

received any requests from the Div. of Standards, or from Mr. Crittenden, Supt. of Standards-which Mr. Lovering advised him of this evening-#22 on the Corres. Summary. Mr. Ferreira stated that he is audited each year (his financial records) and that he has been told by the auditors that he is doing a fine job. The State sets its year from Jan. to Dec., while the Town's year goes from July to June, which makes it hard for him to get his reports in on time. Also, the best time of year in which to make his inspections is in the Fall, as it is hard to check the meters in the Winter & Summer. Mr. Lovering stated that this is the third notification we have received informing us that Mr. Ferreira has failed to bring his scales in to the State to be calibrated - Mr. Ferreira just purchased new weights, that is why he did not bring his others in to be calibrated. Mr. Ferreira stated that he does not remember receiving any corres. from the State asking for information - Mr. Lovering asked him who audits his books - Mr. Ferreira stated that an employee of the Town audits his books-Mr. Lovering stated that the audit covers only financial areas, not performance. Mr. Ferreira stated that he will visit the Div. of Standards, personally, to answer their questions, etc., and he will forward the BOS with a written report of his meeting with the State. This is a Civil Service position, and Mr. Ferreira stated that he has been certified for this position. Mr. Currier suggested that Mr. Ferreira check the address at which the State has been forwarding mail to him, as it may be incorrect - we will forward copies of all the corres. we have received from the State to Mr. Ferreira in order that he may respond to Mr. Falvey & Mr. Crittenden's comments.

Mtg. with Seal-
er of W & M
continued

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint Anne Jensen, Four South Row Street, as Clerk in the Veterans' Agent's Office under the CETA Program.

Unfinished
Business

Item 1 - corres. from Jos. Hannon re: copy of A Growth Policy for the Northern Middlesex Region - the Bd. agreed to change the recommendation to instruct our rep., Mr. Currier, to review this report as part of his functions as the Sel. rep. on NMAC - Mr. Currier stated that sub-comm. will be formed to review same-the most critical section is Section 5, in which the cmsnrs. have changed much of the data -after the next NMAC mtg. in 2 weeks, Mr. Currier can report to the BOS the results of same.

Corres. Sum.

At 8:15 PM a meeting with Jack & Karen Carpenter was held - the Carpenters requested the meeting with the BOS to explain to the Bd. the future use of their property at 138 Boston Road. They have split up the lots, and are now living in the barn, which has been renovated. Mr. Carpenter explained the events surrounding the sale of the house to the Carpenters by the Woodheads, and he outlined the activities which occurred on his property since he bought it in 1975. He stated that the neighbors (the majority) did not approve of their renovations, but none of the neighbors had complained directly to the Carpenters. The Carpenters stated that they were hurt and shocked when they discovered that they were being sued by the Town of Chelmsford, and when they discovered what the grounds for the suit were, they were aghast. They had received the necessary permits from the Bldg. Insp., and the Wiring Insp. before they renovated the premises. The Carpenters had gone to considerable expense in defending themselves against the Town's case, and they had to close the business after dissolving their partnership with their most recent business associate. Mr. Carpenter stated that they now intend to stay in Chelmsford and fight the litigation; re-open the business, which Mr. Carpenter said that they can do at any time they wish, however, they do not have sufficient assets at this point in time to do so immediately; and they intend to live in their barn after they finish remodeling same. Mr. Carpenter stated that through an intermediary he had tried to reach a meeting of the minds with the Chairman of the Board of Selectmen. Mr. Hart stated that at that mtg. he stated that as far as that piece of property is concerned, they will have to live within the zoning bylaws the same as everyone else.'

Mtg. with Mr.
& Mrs. Jack
Carpenter re:
138 Boston Rd

Mtg. with Car-
penters
continued

Mr. Carpenter stated that if necessary, they will fight us in the courts, and they will win; however, they would prefer not to go to court again. Mr. Carpenter stated that he feels that there is a web of special interest & conflict of interest which permeates the entire Town of Chelmsford, more specifically, the Affidavits supporting the allegations of the Town were signed by Chairman Hart's father-Daniel Hart; and by Town Counsel's aunt-Mrs. Louise Harrington. Mr. Carpenter alleged that there was a web of 8 individuals, and he feels that it is not a very fair thing to be put against. Mr. Murphy responded that Atty. McCarthy, previous Town Counsel, would in all probability continue to handle the case for the Town, not Atty. Harrington. The Carpenters further stated that they feel they were discriminated against in the suit brought against them by the Town. Mr. Lovering stated that the question in this matter is 'what is allowable on those premises?' Mr. Currier stated that he understands that the Carpenters have not gone before the Bd. of Appeals, and there is the avenue open that the owner of the property can go before the Bd. of Appeals and request a non-conforming use variance. The Bd. of Sel. cannot usurp the authority of the Bldg. Insp. Mr. Carpenter feels that he does not have a need to appear before the Bd. of Appeals, as he is in compliance with the zoning. Mr. Currier stated that the original complaint which he received from a resident re: the Clock Barn came neither from Chairman Hart's father nor from Mrs. Louise Harrington. Mr. Murphy asked Mr. Carpenter if he had obtained all the necessary permits, etc., for the family to occupy the barn-Mr. Carpenter said that they had received them, from the Bd. of Health, etc. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to instruct Clement McCarthy to meet with the Counsel for the Carpenters', in an effort to define the allowable use of the property to the satisfaction of both parties - and issue a report back to the BOS within a month's time on the progress of this mediation-type process. Mr. Hart asked if any members in the audience would like to have the opportunity to comment - no member in the audience wished to address the issue.

Unfinished
Business
continued

Mr. Murphy reviewed his notes to the Chief re: Pol. Dept. Rules & Regulations- he had requested that a para. on Civilian Complaints against the Dept. be included and the ^{other} item missing was handling public inquiry-guaranteeing feedback to the public's inquiries. Also, the item re: BOS acting as a Bd. of Review in terms of internal investigation is concerned was omitted. Mr. Murphy suggested that something be added to the R & R re: accidents involving policemen & police vehicles. A copy of the accident report should be placed in the personnel jacket of the person involved in the accident - and we should receive a report from the Chief re: accidents involving police vehicles & police personnel. On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to request an amendment to the R & R on civilian complaints; internal investigation report-BOS to act as review board; ask for the development of a motor vehicle accident report on police vehicles & placing copy of same in personnel file of employee involved. The Bd. agreed to request the Chief to go to press with the Rules & Regs. immediately-the R & R can always be updated by a vote of the Board when the Bd. deems same necessary.

Mr. Hart read the Bldg. Insp's. report re: Archer Appliance in response to a memo forwarded to him by the BOS last week. Report was as follows: "The Stop Work Order concerned any remodeling or exterior changes." Signed-Peter J. McHugh, Jr. The Engineer for Mr. Archer has not furnished the cert. plot plan as requested. Mr. Archer was present and he stated that he has not forwarded the cert. plot plan, and he does not intend to - he feels that we have gone beyond that. Mr. Hart stated that the Board is in receipt of a cert. plot plan from J. Paul Bienvenu. He further stated that the plan presented to the Bd. by Mr. Bienvenu shows that the property in question on Billerica Road is not in the CD zone - it is in the RC zone. By this plan the business is illegal and is not in the proper zone. On a motion by Mr. Lovering, seconded by Mr. Murphy,

it was unan. voted to forward the Building Inspector notification by priority correspondence instructing him to take the following action regarding Archer Appliance, 9 Billerica Road, Chelmsford: 1) notify the owner of the property, Mr. Paul Archer, that the Town of Chelmsford has determined that the zoning at 9 Billerica Road does not allow for a business in that area, and advise him that the Town will take him to Court to enforce the zoning bylaws if he should not wish to remove his business from this location voluntarily; 2) BI should meet with Town Counsel immediately to enforce the zoning at this location and he should sign a written complaint against Archer Appliance, in view of the certified plot plan, copy of which is to be forwarded to the BI; and 3) if the BI should refuse to sign the complaint against Archer Appliance, the Town Counsel will take the necessary Court action to order him to sign the document and enforce the zoning bylaws at 9 Billerica Road. Mr. Currier felt that it would be wise to make Mr. Archer aware (as Mr. Archer was present at the mtg.) that the procedure for operating a business in an area that apparently is not zoned for that business, is to go to the Bd. of Appeals for a non-conforming use variance-he has that as an option available. Mr. Currier is trying to avoid a complaint which the Carpenters^{voiced}, namely that they were not made aware of the procedures in lawsuits. Mr. Currier is not saying that he favors this procedure, but he feels that the Archers should be advised of this avenue. Mr. Murphy stated that when someone in Town has something that is illegal, either this Bd. or the BI wants the person to go to the Bd. of Appeals and get the matter legalized, and Mr. Murphy feels that this is definitely not a good suggestion. Mr. Currier stated that the intent of his comment was not as Mr. Murphy had construed, Mr. Currier only meant to point out to Mr. Archer that the Bd. of Appeals is an avenue available, should someone wish to operate a business in an area that is a non-conforming use, and Mr. Currier certainly did not say that he supported that avenue. Mr. Murphy asked how much money it cost the Town to have Mr. Bienvenu furnish the plan-the AA advised him that she has not been billed to date. Mr. Murphy stated that the bylaws state that the set back of the zones is 200 feet unless otherwise stated, and all one would have to do to determine the zones would be to measure them. On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to communicate to the BI by priority corres. Mr. Hart explained the above action to Mrs. Kilmartin, as she was not certain of the course of action on this matter. Mr. Lovering commented that it is no secret in his case and perhaps in other cases of his concern re: performance of the BI, but he also feels that it is very important that his concern, in no way, overrides the most important concern of anything which has been discussed, and that is the issue itself. It is important that both Mr. Archer and the residents have the benefit of negotiations, votes, discussions apart from any emotion that Mr. Lovering may introduce regarding any individual. Mr. Lovering said that some questions were raised concerning performance and that at some time in the future, Mr. Lovering will re-address this subject for discussion, as he feels that the matter is not closed. The Bd. agreed to allow Mr. Archer to comment. Mr. Archer stated that as this piece of property was presented to him by the Bldg. Insp., it was determined that the area in question was legally zoned for business. Mr. Archer had contacted the Planning Board & Appeals Board, who told him that they could not do anything over the BI. Mr. Archer stated that the only construction he has had done on the premises was to renovate the bldg., as it had not been kept up for ten years. Mr. Archer also received approval from the Hist. Dist.Comm. to repair the bldg. Mr. Archer bought the property as business property-he has invested a great amount of money in it, and he has followed the law to the letter - the business supports three families, and there is no other location for his business.

The Bd. agreed to hold the interviews for 3 CETA positions on Saturday commencing at 9 AM - half of the persons to be interviewed will be here at 9 AM and the other half will be present at 10 AM, in order to not delay the process.

The Bd. agreed to discuss Town Counsel's report on transition for discussion on March 29, after the Bd. has a chance to review same.

The Bd. agreed not to discuss warrant articles & the Board's position on same until after the election. Mr. Murphy furnished an updated list of warrant articles. Article 30-Sheehan Prop. is listed as being a BOS article-in fact it should be a Rec.Comm. article. The AA stated that dollar figures will be requested by letter this week, and the article number will be given to the sponsor. Mr. Murphy stated that on Dec. 29, 1975, the Bd. adopted a policy whereby we would go to bid by March 15 for equip. to be purchased by TM action. Re: sidewalk article, the AA asked the Bd. what they wished to bid on - the School Comm. does not plan to do anything on Concord Road and Graniteville Road will not be ready. Mr. Lovering stated that he feels that we should leave Concord Road and use the estimate furnished by the County for the entire distance of Concord Road and we can make a decision at Town Mtg. whether or not to withdraw it. Mr. Hart stated that he feels that we should be thinking about amending the article, and using the funds for the streets which we consider for sidewalks, which the School Comm. advised us of when they met with us approx. one month ago. The Bd. agreed to check with Town Counsel to determine whether or not the changing of the name of the streets for sidewalks is legal and amendable, and when the School Comm. met with us they said that there were 2-3 small sections of sidewalks they wished to have constructed to accommodate walkers-this will require estimates. Also, we should be prepared to have an amended article for the sidewalks requested by the School Comm., using the same dollar figures for x amount of dollars per sidewalk. Mr. Murphy refreshed the Board's memory re: policy re: bids for AT Meetings: "All equipment, contract services which are bid should be advertised, etc. so that bids are opened by March 15. All prices, where possible, should be valid through July 30." The AA stated that we can't operate, as far as equipment is concerned, under that policy & time constraint - we would be asking for 120-day price protection. The figures will be available for Town Mtg. but will not be in the Fin. Comm. book. The Fin.Comm. has been given estimates on all the Hghy.equipment. Re: Police Cruiser specs., the specs which we have in our office are for mid-sized vehicles-the Fin.Comm.suggested that we have two bids - one for compact and one for standard vehicles. Chief Germann recommended that we go out for specs. for mid sized vehicles for all. The Bd. agreed to go out to bid for mids for all and for compacts for all - in other words, there will be two bids for each vehicle.

Re: title 6B-CETA, the AA informed the Bd. that she is meeting with John Clark and Mario Alfano on March 22 at 1:30 PM to discuss this subject - the Bd. agreed to hold on this matter for further discussion after the mtg. is held. If we can have work done at Crystal Lake which is reimbursable, we can have it done in that manner, if it is not reimbursable, Mr. Hart would not recommend that we have it done that way, anyway - if we don't do it with summer employment, we could do it with highway help.

Corres.Sum.
continued

Item 5 - from Kenneth Goggin re: Town Forest Comm. - Mr. Murphy stated that it was the decision of this Board to have an article in the '77 ATM Warrant to have the Cons. Comm. act as the Town Forest Comm. The Bd. agreed to advise Mr.Goggin of this.

Item 9 - letter from Robert Skrivanek - the Bd. agreed to get the report on the dog from the Dog Officer within one week's time.

Item 25 - corres. from Clement McCarthy re: inventory of pending suits. The Bd. agreed to review the inventory pending suits and at the next Sel. Mtg. the Bd. will determine if there is a need for a work session to discuss same. We will advise both counsels that the mtg. is not scheduled for this week.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the Adm. Asst's. recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Hart stated that he and other Bd. members had received telephone calls re: drainage problem on Brentwood Road. Mr. Hart & Louis Rondeau visited the area today - there is a problem along Brentwood Road with seepage coming off the top of the hill, and in one area, the side of the road keeps eroding. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to request a report from the Supt. of Sts. and Paul Bienvenu asap with recommendations to alleviate this problem. Also, the HD should check the area to insure that no holes develop in this area while the water is still running off in the Spring run-off. Mr. Currier informed the Bd. that there is another drainage problem in the same area near Murray Hill Drive in the vicinity of South Gate and North Road area. The Bd. agreed to request the Hghy. Supt. to look into this drainage problem also-the Bd. made this a part of the previous motion. The Board agreed that drainage problems in Town are overwhelming, and we cannot possibly solve all of the problems overnight. The Bd. stated that residents with drainage problems forward them to the Sel. Office in writing. Mr. Murphy stated that Chapt. 1140 money must be committed(bid) by June 30.

Mr. Hart has scheduled a mtg. with Mr. Kealy of the City Manager's Office with Mr. Rapallo on March 22, 1977 at 11AM at City Hall, re: our sewerage proposal.

Mr. Currier reminded the Board that last August Mrs. Haines and he visited Mr. Rourke of the Dept. of Trans. re: railroad crossings. the B M & Con Rail & MBTA were supposed to have been conducting negotiations, which were supposed to be completed in March of 1977. Mr. Currier suggested that the BOS communicate with the DOT to determine if they have been able to locate some funds or locate a railroad company who will put in our crossings - preferably both, and we should send a copy of this corres. to Rep. Freeman also.

On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to advise the Sealer of Weights & Measures to turn his receipts in to the Town Acct. on a monthly basis, as the TA has not received any receipts from him in 8 months.

On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to advise the BI to start immediately to turn his fees in weekly and we would like him to use numbered forms when he turns his permits, etc. over to the TA.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to forward the minutes of the March 14 Sel. Mtg. to Sec. Evelyn Murphy for her information.

Mr. Murphy advised the Bd. of a legislative alert which he rec'd. as liason for the BOS. A bill to extend the implementation date of the Emergency Ambulance Services for one year has been held up - On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to corres. with Rep. Freeman & Rep. LeLacheur and thank them for voting to overturn the Committee Report re: implementation date of EMS.

On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to invite the PA to a Sel. Mtg. in the near future to discuss the Purchasing Manual & final turning over of same to the BOS with all the changes in the manual.

On a question by Mr. Murphy, the AA advised him that the police dept. is presently doing a traffic & pedestrian count at the Chelmsford Mall, after which we must request approval from the State.

As we have not heard from the Chelms. Bus. Assoc. re: date of a joint mtg., the Bd. agreed to correspond with the CBA again to determine if they would still like to meet with the Bd. & set up a mtg. if they wish to meet with us. Also, we will ask the business community to advise us of their feelings re: Mr. Redstone's plan for parking & changes in Central Square-then we can take a position on same.

New Business
continued

Mr. Murphy advised the Bd. that some months ago Mr. Koulas & Mr. Parlee were to sign a lease re: Sheehan Property-we will ask Town Counsel to try to resolve the matter asap.

Mr. Murphy informed the Bd. that he has been made aware of two occasions recently where minors have purchased liquor and the cases were thrown out of court. Mr. Murphy is concerned about these types of cases. On a motion by Mr. Murphy, seconded by Mr. Palmer, it was unan. voted to ask Chief Germann to advise the Bd. of his plan to guarantee that we don't have any continued incidents in court as those mentioned above.

The AA advised Mr. Murphy that NMAC had left our ^{comments} comments out of their econ. dev. report; however, our ^{comments} will be included in their final report.

The Bd. agreed to request a report from the Town Acct. or School Dept. as to why we have so many offset items associated with the School Dept. Mr. Murphy is concerned over the potential \$400,000 loss due to the bus audit-also, why do we have offset items. We will ask the TA or School Dept. for a written report.

Mr. Murphy stated that there is some concern in the Legis. that there are two sides to our Legis. package issue, and both are strong. He feels that the Bd. should communicate to the public their exact sentiment. In the press, some sides of the issues were not explained. Therefore, Mr. Murphy, with the approval of the BOS will prepare a Press Release on some of the more important issues & leave same for the Bd's. review on Thursday evening.

Mr. Murphy stated that as of today, some 17 of the 20 bills have been heard- 3 were killed and 2 received favorable reports. We have rec'd. no notification from Rep. LeLacheur or Rep. Freeman - it is critical that they know how we feel and that we know how they feel. The Bd. agreed to ask them when they will be able to meet with the BOS to discuss their positions on same.

Mr. Lovering will have for the Bd's. review the job des. for Eng. Op. for 3/29.

A work session will be scheduled with the EAC & Hghy. Sutp. to get the data prepared for the Board's review on their articles prior to Town Meeting.

Mr. Lovering moved that the Bd. re-schedule their Mar. 28 Sel. Mtg. to March 29, due to candidates' night - this was seconded by Mr. Currier and unan. voted by the BOS.

The Bd. agreed to have the Town Planner develop some standards which the Bd. could set for renovating the facades of the fronts of the bldgs. in Central Square in conjunction with the Redstone plan for Central Square. He can review what other communities have done & perhaps the MLC&T would have some input regarding this matter. Mr. Flynn has already visited Newburyport.

Bd. adjourns to
Exec. Session Mr. Currier moved that the Bd. adjourn to Exec. Session to discuss qualifications of a Town employee. His motion was seconded by Mr. Palmer - Roll Call was as follows: Mr. Currier-Aye; Mr. Palmer-Aye; Mr. Murphy-Aye; Mr. Lovering-Aye; Mr. Hart-Aye - the Bd. unan. voted to go into Exec. Session.

Mtg. Adjourned On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:46 PM.

For the Board of Selectmen, by

Bruce T. ...

Jurors
Drawn

Jurors were drawn on March 22 by Mr. Hart & were as follows - For Cambridge: Irene McHugh, 126 Pine Hill Rd; Claire Kelly, 61 High St; Wayne Sousa, 8 Jerridge Ln; Joanne Nicholson, 13 Temi Road - For Lowell: Marie LaTouche, 196 North Rd.

Regular Meeting of the Board of Selectmen held March 29, 1977. Members present were: Mr. Hart; Mr. Currier; Mr. Palmer; Mr. Murphy and Mr. Lovering. Mrs. Haines, AA, was also present. Mr. Hart, Chairman, called the meeting to order at 7:30 PM.

Members
Present

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adopt the minutes of the Selectmen's Meeting held March 21, and the minutes of the Executive Session held March 21.

Minutes
Adopted

Mr. Hart informed the Bd. that the 8PM mtg. with the FinComm. & Personnel Board has been re-scheduled for this evening after the Selectmen's Meeting.

Mr. Hart reported on the mtg. Saturday morning at Crystal Lake which a majority of the Bd. members attended. Mr. Robert Loney was also present, and the problems which Mr. Hart addressed at last week's meeting were discussed. All of the problems are in the process of being rectified, and in the next few weeks all of the problems should be solved.

Board
Reports

Mr. Murphy placed a copy of a Press Release in the Sig. Folder for the Board's approval - he would like to have it approved by the Board this evening for release immediately. It concerns the Board's mtg. with Rep. Shea.

Mr. Lovering reported on a mtg. held this past week with the EAC, Chris Alexion, Mrs. Haines & Mr. Lovering re: preparations for recycling. Two weeks prior to Town Mtg. a proposal will be made before the re-constituted Board of Selectmen. Mrs. Greenblatt & Mr. Lovering completed a questionnaire on environmental management. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to authorize Mr. Lovering to have the office type the response to the questionnaire and forward same to the Bureau of Solid Waste Management and keep a copy of same on file in our office.

Mr. Lovering reported that he met with the Personnel Board on March 28 to discuss the position & job description for Supt. of Engineering Operations at the landfill. Two weeks prior to Town Mtg. this subject will be discussed and the Board can vote on that job description. Mr. Lovering asked that Bd. members give him their comments prior to that mtg. regarding the job description.

The AA reminded the BOS that the Planning Bd. is holding a mtg. on 3/30 at 8PM to discuss proposed changes to the Master Plan.

Adm. Asst.
Reports

Mrs. Haines reminded the Board of the Cherry Sheet conference which will be held at the State House at 10AM with Mr. McLean. Mr. Murphy will attend that mtg., as well as Mrs. Haines. Mr. Currier will try to attend the mtg.

Wed.

Mrs. Haines informed the Board that Robert Crowe advised her of Police Mediations which will be held on April 12 at 10AM at 100 Cambridge Street, Boston. Also, there is an arbitration hearing at the Town Hall on April 1 re: court duty grievance.

Mrs. Haines was advised by Town Counsel that the Fletcher Street land takings will have to have Town Meeting authorization for the widening of Fletcher St. We have a 14-day posting requirement if we intend to hold a Special Town Mtg. within the Annual Town Meeting. On a motion by Mr. Currier, seconded by Mr. Palmer, it was voted unan. to schedule the Special Town Meeting for Monday, May 9, within the Annual Town Meeting, to address this Fletcher Street matter.

Mrs. Haines advised the Bd. that within the next few weeks the Toll House will be moved to the Emerson Property. On a motion by Mr. Currier, seconded by Mr.

Adm. Asst.
Reports
continued

Palmer, it was voted four in favor, one opposed-Mr. Lovering, to authorize the AA to notify the Historic District Comm. of the moving date for same.

Discussion
with Mr. Rich-
ard Gorham
re: Carpenter
property -
138 Boston Rd

Mr. Currier stated that at the last Sel. Mtg., Mr. Jack Carpenter, 138 Boston Road, was given an opportunity to meet with the Board to discuss the future uses of his property on Boston Road. Some of the neighbors in that vicinity have requested an opportunity to address Mr. Carpenter's allegations, and at this time, Mr. Richard Gorham wished to address the Board regarding this matter. On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to suspend the meeting rules and allow Mr. Gorham to address the Board regarding this matter. Under discussion on this motion, Mr. Lovering stated that the Board's mtg. with Mr. Carpenter was publicized, and was on our agenda - he felt that Mr. Carpenter might be disturbed that he was not advised that Mr. Gorham and other residents would be given an opportunity to rebut, however, Mr. Lovering is in favor of Mr. Currier's motion. At this point in time, Mr. Robert Gorham, 15 Fenwick Drive, addressed the Board and stated that not only are Mrs. Harrington and Mr. Daniel Hart opposed to the use of Mr. Carpenter's property at 138 Boston Road, he and other neighbors are opposed as well. He presented the Board with a petition signed by 17 residents who reside on Fenwick Drive, Charlesgate Road and Boston Road who are direct abutters and abutters to abutters - the petition was dated August 2, 1976 but was not forwarded to the BOS under advice by Mr. McCarthy to Mrs. Louise Harrington. Mr. Gorham read the petition which stated the residents' opposition to Mr. Carpenter's business at 138 Boston Road. Mr. McCarthy's associate, Mr. David Hart, advised Mrs. Harrington that at that time the petition would not be of any use in the Town's case, therefore, it was not presented to the Board previously. Also, Mr. Gorham presented the Board with a letter which he read signed by Mr. & Mrs. James Morash, Mr. & Mrs. Robert Joyce and Mr. & Mrs. Richard Gorham regarding use of the Carpenter property and advising the Bd. of the neighbors disenchantment with the possibility of a business at 138 Boston Road. Mr. Gorham asked that the Board allow Mr. James Morash, 4 Charlesgate Road, to speak to the Board regarding this matter when he arrives at the meeting later this evening. Mr. Hart asked if anyone else present would like to comment regarding this item - no other residents wished to address the Board. Mr. Gorham stated that he does not wish to cause problems in the neighborhood with Mr. Carpenter, but he wants to voice the opinions of other neighbors to the Board, as well as his own opinion. The Bd. had no objection to Mr. Morash's addressing them later on in this mtg.

Unfinished
Business

Mr. Currier moved the appointment of Leo Silva and Timothy O'Connor to the Mem. Day Committee-Post 366 - they were unan. appointed.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to instruct the Town Planner, with the aide of the Spec. Proj. Asst.-Engineer- to determine the future uses of the Highland School, Quessy School, McFarlin School by the Town - they will come back to the Board with recommendations for uses of same.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint William Bonser, 1 Brian Road as CETA Recreational Director at a salary of \$8,498.86 per annum.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint James Long, Jr., 12 B Street as CETA Community Relations/Training Coord.-Police at a salary of \$8,784 per annum. (CETA Title VI)

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint Hugh O'Brien, 9 Scott Drive as Energy Coord. at a salary of \$7,590 per annum. (CETA Title VI)

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint John McGeown as San. Landfill Analyst at a salary of \$8,591.64 per annum. (CETA Title VI)

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint David Ramsay, 3 Bel Air Drive as Special Projects Assistant-Engineer, at a salary of \$9,360 per annum. (CETA Title VI)

Unfinished
Business
continued

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint Roland Demers, 181 Princeton Street as Special Projects Assistant-General, at a salary of \$8,279.88. (CETA Title VI)

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to appoint James Sink, 96 Richardson Road as Asst. Bldg. Insp. at a salary of \$8,300.57 per annum. (CETA Title II)

Mr. Lovering explained that on March 26 the BOS interviewed 12 applicants for the above-mentioned positions and these appts. are the result of those interviews. The Board agreed to invite each of these new hires to meet with the Board at a regular meeting at 7PM to discuss what the Board expects of these individuals, etc. - this will be scheduled in the near future.

The Board discussed their plans to meet with the Town Counsels re: pending suits. Mr. Murphy had some questions re: Baptist Pond; Vinal Square and Fairbanks Road which he would like answered before mtg. with the counsels. Mr. Murphy also had some concern re: action taking place on conditions at Cushing Place - this problem has existed for four years and Mr. Murphy wants to know what the status of the unfilled foundation is. The Board agreed to invite both Town Counsels to the April 11 Selectmen's Meeting at 7:00 PM to discuss the list, prior to the regularly-scheduled Sel. Mtg.

Re: Turn-over of Atty. Charles Zaroulis' files on East Gate Plaza to Atty. Harrington, it was requested that both counsels meet and forward the Bd. with a written plan for the Board's review which is mutually acceptable to both attorneys re: East Gate Plaza case & Hick's Gas Station case.

Mrs. Haines and Mr. Hart provided each Bd. member with a memo re: their mtg. with John Clark & Susan Jancowski held last week to discuss CETA - Title VIB. The Bd. agreed to review the memo and place same on the agenda for mtg. April 4, 1977, for discussion re: priority projects.

Item 5 - the Bd. agreed to forward the response from Donald J. Roche-Architect to Chris Alexion as it relates to EDA Public Works proposals - in approx. one month we should receive the rest of the proposals. Mr. Murphy noted that as we were not recipients of Pub. Works funds the first time around we will probably not be included the second time - and our only hope would be to hope that there will be a third time for acceptance of proposals.

Corres. Sum.

Item 10 - letter from Robert Tansino re: medical compensation after he is terminated from the CETA Program in June. The Bd. amended the AA's recommendation as follows: (request written report from Lowell CETA Office) - and ask Picken Ins. Agency what their position is - we can discuss same when we receive Lowell's guidelines.

Item 12 - request to renew Junk Collector's License at 175 Gorham Street - the Bd. agreed to hold on this until 4/4 in order that some additional info. may be obtained regarding the license & premises.

Item 18 - corres. from Clement McCarthy, Town Counsel re: Matt Doyle Liquor License - The Board agreed to set up a mtg. with both counsels & the BOS in April during a regularly-scheduled Selectmen's Meeting to discuss this matter.

Corres. Sum.
continued

Item 19 - corres. from NMAC re: abandoned railroad right-of-ways - Board discussion - the Bd. agreed to contact Raymond Rourke to determine if Chelmsford has any abandoned right-of-ways. Mr. Lovering stated that if possible, he would like to see the abandoned railroad right-of-ways used in terms of bike paths, walk-ways for pedestrians only, etc., and we should make every effort to determine if we have any abandoned right-of-ways asap in order that we can forward our ideas to NMAC.

Item 20 - Board discussion re: letter from Alvira Souza concerning land in area of Crystal Lake which belongs to Ms. Souza. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to instruct Town Counsel to work with FS&T & Mrs. Souza to determine what the problem legally consists of regarding her complaints.

Item 21 - opinion from Town Counsel re: CETA employee in Youth Center - In accepting Town Counsel's opinion, we in fact cannot place a CETA person in the Youth Center as a clerk to replace a town employee currently working in that position. The Bd. agreed to 1) notify Mr. Woodman to modify the budget with the above change; 2) notify Lowell that the position was one of our CETA positions - the Bd. will now have to establish it - the Bd. agreed to notify Lowell that this person will work out of the Selectmen's Office and will be able to fill-in in other depts. if need be.

Item 23 - The Bd. agreed to instruct the Town Planner and the Spec. Proj. Asst.-Eng. to attend the Governor's conference on April 11 re: community revitalization.

Item 31 - letter from William V. Cady, Pres., Chelmsford Fire Fighters Local 1839-board discussion - On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to notify Mr. Cady that we thank him for reminding the Board of the job well done by Capt. Spinney & Fire Fighter Curran and advise him that we have placed a letter of commendation in each of their personnel files via the Fire Chief's Office.

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to accept the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to ask the Hghy. Supt. to regrade the canal in the area from the canal to the mills, as this work is not reimbursable, and advise him to inform us if this will solve the problem in that area.

Mr. Hart introduced Mrs. Sally Sobel, the League of Women Voter's observer. Mr. Hart welcomed her on behalf of the Board.

Mr. Currier informed the Bd. that there is quite a bit of debris near the Glen Ave. end of the Chelmsford Mall - the Bd. agreed to communicate with the owner of this property and ask that he cooperate with the Board and clean up this area. Mr. Murphy advised the Bd. of a similar problem - On a motion by Mr. Murphy, seconded by Mr. Currier, it was unan. voted to request the owner of the property in the vicinity of Parlmont Plaza (near Fletcher Street) to make this area more safe for the residents by filling in the ruts in this area - this would be appreciated by the BOS.

On a motion by Mr. Palmer, seconded by Mr. Currier, it was unan. voted to instruct Paul Bienvenu to investigate a serious drainage problem on Swain Road (just before the entrance to the landfill-area has been flooded recently & pumped out several times) and furnish the Bd. with written recommendations to alleviate this drainage problem as soon as possible.

Mr. Palmer commented on his 3-year term of office, as this is his last meeting as a member of the Chelmsford Board of Selectmen. He commented on past incidents and on what he sees as future projects for the Board of Selectmen.

Mr. Murphy asked Mrs. Haines if Rep. Freeman & Rep. LeLacheur had responded by mail or telephone to our inquiries re: mtg. to discuss Legislation - she stated that a letter has been sent to both of them requesting that they attend a Sel. Mtg. to discuss same.

Mr. Murphy requested a status report from the Hghy. Supt. re: Boy Scout's project on markers from Chelms. to Carlisle.

Mr. Murphy requested that we ask the Chief of Police if there is still a cruiser on Route 4 for radar as we requested that a cruiser be stationed at that location previously.

Mr. Murphy stated that we have rec'd. corres. from the Hghy. Dept. & Police Dept. re: accident involving HD vehicle on March 17 - the accident involved a private vehicle also. Mr. Murphy stated that he personally, would not wish to take any action regarding the driver of the HD vehicle until a hearing is held before the BOS to hear comments by all parties involved. Mr. Lovering read carefully the HD contract - specifically the area re: relationship between the Town & employees of the HD. We are contemplating disciplinary action by the BOS towards some members of the HD involving this incident. In the contract, any discipl. action or reprimand shall be done in a manner that will not embarrass the employee before other employees or the public - therefore, Mr. Lovering suggested that at the conclusion of tonight's meeting go into Exec. Session for the purpose of developing a hearing procedure which will be satisfactory to the BOS which will allow the two individuals to appear before the BOS in consonance with the protection written in the contract - at that time the Bd. can hear testimony and take appropriate action.

Mr. Lovering stated that this past month the residents of the Comm. have been treated with a number of articles concerning part-time jobs and no-show jobs - the articles were in the Boston Globe, and some very serious allegations were printed. Mr. Lovering is concerned that at the local level we are in very severe financial straights and the allegations at the State level are indicating that there is massive waste of the taxpayers' money throughout the State. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to forward a letter to Governor Michael S. Dukakis with a copy of same to be forwarded to the Boston Globe, Boston Herald, Lowell Sun, Chelmsford Newsweekly, the four Boston TV Stations, WCAP, WLLH - the letter will consist of the following: 1) We as a BOS express our serious concern over the Globe articles and the allegations contained therein; 2) we will ask the Governor on behalf of the residents of the Commonwealth what plans he personally has to respond to these allegations; and 3) we will suggest that as he considers his response, he should entertain the possibility of creating a Governor-appointed Crime Commission on Political Corruption which would have the associated powers and monies necessary to bring these matters to indictments if warranted.

On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to ask the Bd. of Health & Bldg. Insp. to investigate whether or not there are any violations at the Hamel Rubbish Co., 314 Dunstable Road in the nature of dumping of materials on their property.

Mr. Lovering stated that the BOS rec'd. a memo. from Henry Przydeial to John Clark in the Lowell CETA Office re: appt. of the Hghy. Supt's. son to a CETA Conservation job. The memo stated that 'since in this particular case because

New
Business
continued

there are no CETA participants presently working for the Hghy. Dept., and the Town of Chelmsford has no intentions in the future to request any positions, the Hghy. Supt's. son would be eligible for participation in the program.' Mr. Lovering stated that the Bd. cannot say that they have no intentions in the future of appointing a CETA employee to the Hghy. Dept. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to instruct the AA to get some additional information regarding this asap - the Bd. never stated that they did not contemplate ever appointing someone to the HD under the CETA Program.

Re: Cherry Sheet distribution - the Bd. was advised by Mr. Lovering that the Town of Acton is considering filing a suit against the Commonwealth and the Town is looking for other communities to join in their suit - Mr. Lovering requested that the AA contact Mr. Steve Lewis, a member of the Acton BOS, to determine what Acton's plans are regarding this matter. The Bd. could then decide if they would wish to join them in the law suit. Mr. Murphy stated that the MLC&T authorized 7 of its members to form a committee to study the subject of a law suit, etc., which is different from the Acton matter.

Mr. Morash was given an opportunity to address the Board regarding the Carpenter property, as previously approved by the Board earlier in the mtg. Mr. Morash reiterated comments previously made by Mr. Gorham. He stated that the property at 138 Boston Road had remained dormant for 10-12 years before Mr. Carpenter started his business - he does not think that it should be covered by the Grandfather Clause.

On behalf of the Board of Selectmen, Selectman Philip Currier thanked Selectmen Hart and Palmer for their services to the Town as members of the Board of Selectmen. Mr. Hart thanked Board members for their cooperation during his terms of office and he thanked Mrs. Evelyn Haines, Administrative Assistant, and Miss Bonita Towle for all of their help, especially during this past year during which he Chaired the Board. Mr. Hart further stated that he hoped to be re-elected to the Board of Selectmen on April 2.

Adjourn to
Exec. Ses-
sion

On a motion by Mr. Lovering, seconded by Mr. Palmer, it was unan. voted to adjourn to Exec. Session to discuss matters effecting employees of the Highway Dept. in accordance with the contract between the Town and employees of the HD. Roll Call vote was as follows: Mr. Currier-Aye; Mr. Palmer-Aye; Mr. Murphy-Aye; Mr. Lovering-Aye; Mr. Hart-Aye. The Board adjourned to Executive Session at 9:05 PM.

Meeting
Adjourned

On a motion by Mr. Currier, seconded by Mr. Palmer, it was unan. voted to adjourn the meeting. The meeting was adjourned at 9:16 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors
Drawn

Jurors drawn on April 1, 1977 by Chairman Paul C. Hart - for Criminal Court on 5/9/77 are as follows: Edward R. Whitworth, Sr., 37 Harding Street, Chelmsford and Faith Ann Tucke, 67 North Road, Chelmsford.

ReOrganiza-
tion Meeting
of the BOS

Reorganization Meeting of the Chelmsford Board of Selectmen, held April 4, 1977. Members present were: Mr. Hart; Mr. Currier; Mr. Murphy; Mr. Lovering; and Mr. Shanahan. Mrs. Haines, Adm. Asst., was also present. Mr. Hart, Chairman, called the meeting to order at 7:30 PM.

Moment of
Silence -
passing of
P. Curran

A moment of silence was observed out of respect of Peter Curran, who passed away on March 31, 1977. Mr. Curran was a member of the Finance Committee for 14 years.

Chairman Hart welcomed the newly-elected member of the Board, Joseph B. Shanahan, Jr., on behalf of the members of the Board. He also stated that he was happy to be back this week after his re-election to the Board of Selectmen. At this point in time, Mr. Hart requested a personal privilege - he wished to be allowed to step down from the Chair to make a motion, and to let the Vice-Chairman take over and Chair the meeting. The Board agreed to this.

Mr. Currier opened nominations for Chairman of the Board of Selectmen. Mr. Hart nominated Philip L. Currier as Chairman for the upcoming year - Mr. Shanahan seconded this nomination. There were no other nominations. Mr. Lovering commented that he had the opportunity to meet Mr. Currier five years ago when he (AJL) ran for Selectman the first time. Mr. Lovering stated that he feels that it is appropriate that Mr. Currier have an opportunity to serve as Chairman, and he pledged his complete support during the coming year. Mr. Currier was unanimously elected Chairman of the Board of Selectmen. Mr. Currier thanked the Board for this vote.

Chairman
elected

Chairman Currier then opened nominations for Vice-Chairman of the Board of Selectmen. Mr. Hart nominated William R. Murphy as Vice-Chairman for the upcoming year - Mr. Lovering seconded this nomination. There were no other nominations. Mr. Murphy was unanimously elected as Vice-Chairman of the Board of Selectmen.

Vice-Chairman
elected

Chairman Currier then opened nominations for Clerk of the Board of Selectmen. Mr. Murphy nominated Joseph B. Shanahan, Jr., as Clerk for the upcoming year - Mr. Hart seconded this nomination. There were no other nominations. Mr. Shanahan was unanimously elected as Clerk of the Board of Selectmen.

Clerk
elected

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Selectmen's Meeting held March 29, 1977, and of the Executive Session held March 29.

Minutes
Adopted

Mr. Murphy reported that he and Mrs. Haines, Rep. Freeman, Philip McCormack, Claude Harvey and Ernest Day met at the State House last Wed. with Mr. McLain to review the Cherry Sheet information. The formulas on distribution of State Aid to Education were established in 1967 and modified in 1969. There has been no change in the formulas since that time. Chelmsford's property tax has dropped some 15% over the last year as a result of the actual sales. Also, in terms of the 766 account, we were audited last year and some charges were disallowed, and last year some 80 communities were audited. There was nothing brought up at the mtg. to reveal any discrepancy. There is no money for the communities. It was recommended that the communities contact their individual Senator & Reps. if they want more money back on the Cherry Sheet.

Board Reports

Mr. Murphy nominated Gerald Johnson, 180 Tyngsboro Road and Al Ryan, 11 First Street, to the Memorial Day Comm. from Post 313 - they were unan. appointed.

Unfinished
Business

The Bd. was advised this past week that the person whom they appd. last week as Spec. Proj. Asst.-General under the CETA Program has found employment in private industry. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to appoint George Gray, Five Starlight Avenue, as SPA-General.

The Board discussed CETA Title VI B projects. The AA suggested that as all proposals for same must be submitted by April 7, we should send in those suggestions furnished by Jerry House & the Board's suggestion on drainage, so that we will not miss the first round - on a motion by Mr. Murphy, it was unan. voted to add the position of outside maintenance of fields. Mrs. Haines advised Mr. Murphy that the clean-up of the Emerson Property is being worked on now. We will forward our list prior to this Thursday.

The Bd. agreed to hold on the issuance of the A.J. Coutu, Inc. Junk Collector's License pending additional info. from the Bldg. Insp.

Corres. Sum.

Item 1 - corres. from Robert Loney re: proposal from DeMatteo Constr. Co. to remove the dead grass, roots, and other debris that has been deposited near the shoreline of Crystal Lake & a proposal for furnishing a boat in connection with this work. On a motion by Mr. Murphy, seconded by Mr. Lovering it was unan. voted to place a maximum amount on this proposal in the amount of \$5,940-\$594 per day-estimated work to take 10 days; and to add a sentence to our approval of this matter stating that the time of completion of the contract be extended to 5/15/77 to allow for the performance of this work, notwithstanding any of the rights which currently exist with the Town in terms of prior votes on penalties - we will approve the extension only for this work.

Item 8 - corres. from BOH re: pollutants entering Stoney Brook from Commodore Foods in Westford - On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to inform the BOH that we would like further information on their answer, as "they will take action to stop the pollution" does not advise us what action they will take, or when the action will be taken.

Item 21 - Mrs. Haines advised Mr. Murphy that re: transition of East Gate Plaza & Hick's Gas Station cases, Attys. Harrington & Zaroulis have been asked to hold a meeting to discuss same. The mtg. will be held in the near future.

Item 22 - corres. from MLC&T re: our request for info on ins. for Aux. Policemen- On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward copy of this corres. to the Civil Defense Comm. for their info.

Item 29 - corres. from BOH requesting mileage reimbursement for John Emerson, CETA Asst. Health Ins. - the Bd. agreed to approve the request and forward same to the Lowell CETA Office.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Bid Openings:
Brush Chip-
per Rental;
Pol. Prof. Lia.
Ins; Bus
Trans. for
Excep. Child-
ren

Sealed bids were scheduled to be opened and read aloud at 7:45 PM for Brush Chipper Rental; Police Prof. Liabil. Insurance; and Bus Trans. for Exceptional Children. The AA advised the Board that a bid for Brush Chipper Rental and a bid for Police Prof. Liabil. Ins. were received in the Sel. Office after the 2:00 PM deadline today. There are only two bids (total) received in both of these categories - therefore, if we do not open the late bids, we will only have one bid in each of the categories. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to return both bids for Brush Chipper Rental & both bids for Police Prof. Liabil. Ins. to the bidders unopened by Cert. Mail, and request the PA to re-advertise for same immediately. The Board received a single bid for bus trans. for Exceptional Children - On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to open the single bid and to take same under advisement. The bid was from Town & Country Transportation and the total amount was \$1,500-\$250 per week for 6 weeks.

New Business

Mr. Currier advised the Board that a Work Session has been scheduled with the Chief of Police on April 14 at 7:30 PM - the date and time are acceptable to Board members. It will take place in the Selectmen's Office.

Mr. Murphy stated that next Monday evening is the CENTER Water District's election, and he would like to have an opportunity to attend same - however, there is a Sel. Mtg. that evening also. Mr. Currier stated that the Board could open the mtg. at 7:30 and declare a short recess in order for Bd. members who live in the Center Water Dist. to vote for commissioner.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to designate the Town Acct.-Ernest F. Day to become familiar with the Unemp. Comp. Law- he will be the focal point to answer residents' questions - he will be charged as the person to be most knowledgeable about this.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to advise the BI that the BOS have seen numerous illegal signs on North Road and ask that he contact the owner of the condominiums immediately to remove same - we will send a copy of same to Mr. Demogenes.

Mr. Murphy informed the Bd. that the Planning Bd. had scheduled a hearing on the Master Plan for April 28 at the McCarthy Junior High School - also - we have scheduled a Town Mtg. for this date at the McCarthy Jr. High School - the Pl. Bd. must have this hearing for Town Mtg. action - Mr. Murphy suggested that during the first week of Town Mtg., we conduct Town Mtg. on Monday & Wednesday, if possible, and on the following weeks, conduct Town Mtg. on Mondays & Thursdays, as we have already received approval for same from the School Dept. Mr. Lovering stated that he feels that Town Mtg. should be held on two evenings per week on the same evenings throughout the duration of the Town Mtg., in order that residents will not be confused. Mr. Murphy stated that the residents will have to come out on Monday for Town Mtg; Wed. for Town Mtg; and Thurs. for the Pl. Bd. hearing during the week of the 25th of April - he feels that this is asking too much of the residents, and perhaps Town Mtg. should only be held on one evening the first week. The Bd. agreed to ask the AA to contact the School Dept. to determine if we could hold the Town Mtg. on Monday & Wed. for the first week of Town Mtg. as well during the remainder of Town Mtg. - if it is not available, after the 1st. week of Town Mtg., we can hold the mtgs. on Mondays & Thursdays. The Board agreed that they would not hold Town Meeting on April 28, in order that the Planning Board can hold their hearing.

Mr. Lovering informed the Bd. that residents of Manahan Street, near the Chelmsford Mall, have advised him that Mr. Carye has not kept his agreement with the BOS to try to have the barriers in the area of the Mall serve their purpose in not allowing traffic to take advantage of the end of Manahan Street. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to have the AA contact Mr. Carye in an attempt to solve this problem the way we did in the past- if will not comply with our request, we will invite him to appear before the BOS at a regularly-scheduled mtg. to discuss same.

Mr. Lovering asked the AA for the date of the hearing re: employees A & B of the Hghy. Dept. She informed him that they will be scheduled next week during a regular mtg.

Upon request by Mr. Lovering, the AA will schedule the following topics for discussion on the Agenda for the Sel. Mtg. April 11: 1) Swain Road Landfill; 2) Recycling.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to adjourn the meeting. The meeting adjourned at 8:05 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita [Signature]

Regular Meeting of the Board of Selectmen held April 11, 1977. At 7 PM the BOS met with CETA employees to discuss their positions & duties. Present were: David Ramsay; Hugh O'Brien; John McGeown and James Sink. The Bd. furnished recommendations to these employees on info. they should investigate concerning each of their positions. Mr. Lovering arranged for a mtg. this Wed. with Mr.

7PM mtg. with
CETA employees

O'Brien and Raytheon's energy coordinator at 9:00 AM to discuss energy conservation.

7:15 Mtg. with
Counsels Har-
rington

At 7:15 PM the Board met with Clement McCarthy, David Hart and James Harrington to discuss pending suits against the Town and transition of cases. After discussion, the Bd. agreed to transfer item 40 on the pending list (pollution case) to James Harrington, as well as item 64 (Sheehan Lease) to Atty. Harrington. Re: Sheehan lease, fair rental would be what the Town is getting in taxes - Mr. Hart stated that in most cases, \$20-\$30 is a fair price for rental per acre of good land - Mr. Harrington will contact the Bd. of Assessors for their cooperation in determining the lease fee. Both Mr. McCarthy & Mr. Harrington agreed on the transition of the cases. Re: #57, Town of Chelmsford vs. Wm. Harvey, Mr. Harrington will determine if this jurisdictional dispute between the Cons. Comm. or the Bldg. Insp. has been resolved - Mr. Harrington will get all parties concerned together to take action on same. Mr. McCarthy is handling #62-O'Connor vs. Rivard at the request of the School Comm. Re: Pond Street matter, the sub-comm. has been defunct as of last year - and no definite action was taken on a long-term basis. The Bd. agreed that Mr. McCarthy should pass this case on to Mr. Harrington, who can give the BOS a written update on this item. Also, the Bd. turned the matter re: parking lot in Vinal Sq. over to Atty. Harrington. The Bd. agreed that the problem re: Fairbanks Rd. is a Selectmen's problem which the BOS will try to solve at the mtg. with the residents in the near future. Re: paying of bills to Mr. McCarthy, Mr. McCarthy stated that work accomplished is between \$8,000 - \$10,000; Atty. Hart stated that approx. \$31,000 will be owed on interim billing to Mr. McCarthy, but he will check on same. Mr. McCarthy stated that he has no objections to being paid as matters are resolved.

Regular Mtg.

Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, AA was also present. Mr. Currier, Chairman, opened the meeting at 7:30 PM. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to allow the AA to open Sealed Bids for Police Prof. Lib. Ins. and Brush Chipper Rental, in the event that the Board has not returned from the Center Water District Meeting by 7:45 PM. At this point in time the Board recessed for approx. 20 minutes in order that the Selectmen could vote at the Center Water Dist. Annual Meeting. In view of the fact that it was 7:45 PM and the Sel. had not returned from the Center W.D. Mtg., the AA opened and read aloud sealed bids for Police Prof. Lib. Ins. and Brush Chipper Rental - they were as follows: Pol. Prof. Lib. Ins: Bedell Bros., Inc. \$100,000 - \$7,128; Roger Welch Ins. Agency, Inc. \$100,000 - \$9,042.40 - Brush Chipper Rental: Stedt Hydraulic Crane Corp: \$720 for 3 days; Community Tree Service: \$786 for 3 days.

The Bd. returned to the meeting at 7:50 PM at which time Chairman Currier reconvened the meeting.

Minutes Ap-
proved

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the minutes of the Sel. Meeting held April 4, 1977.

Bid Openings

Mr. Currier stated that the bids for both the police prof. lib. ins. and the rental of the chipper must be awarded this evening - the PA will be given an opportunity, as will the BOS, to review same at a recess at approx. 9:15 PM, after which time the Bd. will award both bids.

IAC not pre-
sent for mtg.
with BOS

The Ins. Adv. Comm. was scheduled to meet with the BOS at 7:45 PM to discuss insurance for the Aux. Policemen - they were not present for this meeting.

Mr. Currier reported that the mtg. scheduled for April 19 with the Rec. Comm. & Varney Pl. Comm. has been re-scheduled for April 26 at the North School, in hopes

that interested residents in the area of Crystal Lake will attend, as matters pertaining to the Lake will be addressed by all parties concerned at this mtg. Items 20 & 27 in the Corres. Sum. will be delayed for discussion until the mtg. on April 26 at the North School.

4/26 mtg.
at North
School

Mr. Currier stated that the STM is currently scheduled for May 9 - however, more articles may be added for the STM Warrant after the mtg. with the Rec. Comm. & VPC on April 26 - therefore, in order to keep in compliance with legal requirements re: posting of STM, Mr. Currier asked that the date of the STM be changed to May 12. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to change the date of the STM within the 1977 ATM to May 12, 1977.

Board Reports

Mr. Currier & Mrs. Haines will meet this Sat. to discuss warrant article assignment and budget assignment - they will provide the BOS with a report on same on 4/19.

A mtg. was held at 8:00 PM with the Chelmsford Businessmens' Association and a photograph was taken of several members with the Bd. Present representing the Businessmens' Association were: Mr. Walter Wilkins, President, Mitchell Korbey, Bradford Emerson, and James Robinson. Mr. Murphy asked if the CBA was in favor of the proposed changes in Central Square outlined in Mr. Redstone's proposal, as parking spaces will now be added in the vicinity of the Fiske House in Mr. Redstone's proposal - Mr. Wilkins stated that there is a sub-comm. of the CBA pursuing this matter made up of Mitch Korbey, Bud Garrow and Bobby Kydd - first mtg. with Mr. Redstone & Paul Bienvenu will be held shortly, and the CBA will advise us if they are in favor, or opposed, to this plan. Mr. Emerson stated that the only real concern of the CBA was the elimination of parking spaces, not the addition of the lights in the Square. Mr. Murphy stated that he feels that the CBA should fully check their title and zoning before any investments are made financially, as in the case of Archer Appliance - Mr. Wilkins stated that the CBA will be advised of the Selectmen's feelings re: illegal signs throughout the Town and illegal roadside stands in Town. Mr. Lovering stated that some time soon, the BOS will have a brief set of guidelines re: type of signs to be used throughout Central Square, which Mr. Lovering & the Town Planner have been working on at the request of Mr. Redstone - and the guidelines will be made available to the CBA, after they are adopted by the BOS. Mr. Wilkins stated that George Feeney has been appd. by the CBA to look into zoning matters, etc. Mr. Emerson stated that the CBA still support municipal sewerage, and they have a sewerage comm. within the organization. Mr. Lovering stated that there is an article in this year's ATM re: regulations on wayside businesses - the CBA agrees that they are causing a problem throughout Town. The Bd. advised the CBA to come before them at any time to discuss any problems which may develop throughout the year. The BA will invite the BOS to their Fall meeting.

Mtg. with
CBA - Annual
Meeting

The AA reminded the Bd. that Police Dept. mediations will be held in Boston on Tuesday at 10 AM - the Bd. left telephone numbers where they could be reached for Sel. Currier on Tuesday, in the event that Bd. members have to be contacted during mediation.

Adm. Asst.
Reports

The AA informed the Bd. that Fire Negotiations will be held on April 13 at the Town Hall. Sel. Murphy will take Mr. Palmer's place as the Bd. member on the negotiating team.

The AA informed the Bd. that Dr. Rivard has requested a mtg. with the BOS this week to discuss the McFarlin School & Highland School, etc., in view of some votes of the School Comm. - the Fin. Comm. will be requested to attend the mtg. also - the Bd. agreed to schedule a mtg. with the School Comm. & Dr. Rivard & the Fin. Comm. this Thursday, April 14 after the Work Session with the Police Chief.

AA Reports
continued

The AA advised the Bd. that the LWV Warrant Article Review is scheduled for April 13 at 7:30 PM at the McCarthy Jr. High School.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve mileage for the Energy Coord., Sanitary Landfill Analyst, & Spec.Proj. Asst. at \$40 per month and for the Asst. Bldg. Insp. at \$50 per month - maximum.

Mtg. with PA
re: Purch.
Manual

At 8:30 PM a mtg. was held with Christos Alexion, Purchasing Agent re: Purchasing Manual. Mr. Alexion was present and stated that the Purchasing Agent's Manual is completed and includes all the revisions in same. The Board agreed to place this item on the agenda for a final vote on 4/19/77. The Bd. stated that they wished to be advised by Mr. Alexion how many articles are being purchased by State Contract Purchasing, out of the 5 designated by the Board. Mr. Alexion stated that tires and some batteries & automotive parts are being purchased by St. Cont. Purch.

AA Reports
continued

The AA had left the Bd. a note re: their feelings on the Hghy. Supt. employing his daughter in the Hghy. Dept. when Miss Koulas is on vacation, etc., in view of the Board's memo some time ago to Dept. Heads re: nepotism & conflict of interest. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to advise Mr. Rondeau that he can no longer employ his daughter in his office, and advise him that he will have until the end of this fiscal year to seek a replacement for Miss Koulas, other than his daughter, when Miss Koulas is ill or on vacation.

Unfinished
Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Diane Masson, 175 Princeton St., as Youth Center Outreach Worker under the CETA Program at a salary of \$7,511.28 per annum.

The Bd. agreed to request Robert Flynn to attend the MCAB mtg. on April 11, 12 and 13 on behalf of the BOS. The Bd. agreed to hold on appointment until 4/19. The mtgs. are for budget session reviews and begin at 5:30 PM at the East Cambridge Court House.

Mr. Murphy moved the appointment of Sel. Arnold J. Lovering as the Chairman's Representative on the Northern Middlesex Area Commission - the Bd. unan. voted to appoint Mr. Lovering to serve in this capacity.

Hearing with
Officers Mack
& Niemaszyl:
re: Grievance

The 8:45 PM scheduled hearing with Police Officers John Mack & Thomas Niemaszyl re: seniority & a grievance regarding same. Both men have requested verbally that the hearing be held in Exec. Session. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to adjourn to Exec. Session to discuss an employee/management matter which will effect the Town financially. The Roll Call was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. The Board convened to Exec. Session at 8:45 PM.

Exec. Session

At 9:05 PM the Board re-convened to the Open Meeting. Mr. Currier explained to the public the action which the Board took re: Officers Mack & Niemaszyl's grievance. The Bd. unan. voted to act in favor of the men's grievance, as it applies to longevity and vacation only - it does not set a precedent for other officers - the men will sign an agreement indicating that the Board's judgement applies only to these 2 items, and it will not apply to seniority in bidding shifts.

Open Mtg.

Mtg. with J.
Carpenter re:
133 Boston Rd.

A meeting was held with Jack Carpenter to discuss his property at 138 Boston Rd. Mr. Carpenter presented the Board with a petition signed by 17 residents who live in the vicinity of 138 Boston Rd., stating that the owners of 134-138 Boston Rd. have been an asset to the community & good neighbors; that the Clock Barn has not been a detriment to the neighborhood, and in fact, the Clock Barn has been a good addition to the atmosphere & culture of the Town; and that the signers

consider the continuation operation of the antiques business to be a true heritage of the rural atmosphere desired. Mr. Carpenter stated at length his opposition to the allegations in the petition generated by Mr. Gorham which the Bd. discussed a few weeks ago. Mr. Murphy informed Mr. Carpenter that the Board did not take any action on Mr. Gorham's petition, it was merely accepted for our file. Mr. Carpenter cautioned Mr. Shanahan on becoming involved in this matter. Mr. Shanahan stated for the record that before he becomes involved in these proceedings, he will take into account all of the background material, legal opinions, etc..

Mtg. with
Mr. Carpenter
continued

At 9:40 PM the Board recessed for five minutes.

A mtg. was held with Clement McCarthy re: Matt Doyle Liquor License issue. Mr. Doyle was present, as was Atty. Sullivan, counsel for Mr. Doyle. Mr. McCarthy stated that the Town has been ordered by the Courts to issue the license, and Mr. McCarthy advised the Board to set the fee for same and issue the license. Several residents of the area on Concord Road where the place of business will be conducted were present - the Board allowed the residents to ask questions. They were: Mrs. Martin Ames and two other residents and they were concerned about the fact that children will be getting on the school bus at this location when the business is opening in the morning. Mr. Currier stated that the fee for the license is \$1,200 per year. Mr. McCarthy feels that the Town cannot place any stipulations on the license at this time, however, the Bldg. Insp. can inspect the premises before Mr. Doyle opens the business. The AA will locate the plan for Mr. Sullivan, as we have it on file in the Selectmen's Office. The residents asked the Bd. to request the Pol. Chief to have more patrols in the area & behind the bldg. The package store will be open from 8:00 AM until 11:00 PM. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to set the fee for the All Alcoholic Retail Package Goods Store at \$1,200. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Hart, to sign and issue the All Alcoholic Retail Package Goods Store License to Matt Doyle, Inc.

Mtg. with
C. McCarthy, Esq.
re: Matt
Doyle Liq.
License

A mtg. was held with the HRAC re: Atty. General's opinion on recall bylaw & warrant articles for '77 ATM. Present were: Denis Valdinocci and J.P. Gravell. The Atty. Gen. did not approve the recall bylaw because he feels that a charter change is necessary - Atty. Harrington agreed with this. The HRAC will continue to work on this bylaw, as there is a fine line which may be argued and the HRAC will try to explore same after Town Mtg. Re: '77 Warrant Articles, the HRAC stated that they are going to withdraw their articles in the upcoming ATM Warrant which are #43-#46 for legal reasons. They will rewrite them with the help of Town Counsel and may put them in a future STM. On a motion by Mr. Lovering, seconded by Mr. Murphy it was unan. voted to instruct Town Counsel to work with the Atty. General's Office & HRAC to discuss the recall bylaw & changes to same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to instruct Town Counsel to work with the HRAC re: the re-drafting of the four articles in the '77 ATM Warrant.

Mtg. with
HRAC re: re-
call bylaw &
'77 ATM War-
rant Articles

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the Police Dept. Rules and Regulations as amended.

Unfin. Bus:

Police Dept.
Rules & Regs.
approved

We are awaiting a report from the Bldg. Insp. re: junk collector's license on Gorham Street.

Mr. Lovering presented the Board with a detailed report re: Swain Road Landfill and Recycling. He reviewed each report with the Board. He reviewed the Job Description for the Supt. of Eng. Operations at the Swain Road Landfill, which was developed after discussions with the EAC, Contractors, and Chris Alexion & other interested persons in the Community. Changes in the job des. requested

Unfinished
Business
continued

Unfin. Bus.
continued

by the Personnel Board were made in some areas. Also included in the packet was corres. from Camp, Dresser & McKee to the Bd. of Health, and a Fact Sheet prepared by Mr. Lovering. Mr. Lovering is meeting with the Fin. Comm. on Tues. evening and he would like the benefit of the Board's comments regarding the Job Description, etc., and the Swain Rd. landfill. Mr. Lovering moved that the Board endorse both of Mr. Lovering's reports - Mr. Murphy seconded this motion. After lengthy discussion, Mr. Murphy moved the question - motion failed for lack of a second. Mr. Lovering's main motion was voted three opposed, two in favor - Mr. Lovering and Mr. Murphy. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask the firm of Emmons, Fleming & Bienvenu to submit a proposal within one week's time, after review of the Camp, Dresser & McKee Report for management of the implementation of the Swain Road Landfill Project. Re: Mr. Lovering's report on recycling and his final recommendation to implement the Mandatory Recycling Program in Town, on a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to endorse Mr. Lovering's report and recommendation to implement the Mand. Rec. Program and to endorse the ATM Warrant Article regarding same. Program is envisioned to be implemented in the Fall of 1977.

Brush Chipper
Rental Bid
Award

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award the bid for the Brush Chipper Rental to the low bidder, Stedt Hydraulic Crane Corp. in the amount of \$720 for 3 days.

Pol. Prof.
Liab. Ins.
Award

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award the bid for Pol. Prof. Liab. Ins. to Roger Welch, in the amount of \$9,042.40 - the other bidder was disqualified as he did not meet specs.

Corres. Sum.

Item 8 - corres. from Chief Germann re: cruiser on Route 4 - On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted ~~not~~ to accept the report from the Chief, as it is non-responsive to our request in the past to have a cruiser on Rte. 4 at several times during the day, especially in the early morning & late afternoon traffic rush hours.

Item 9 - On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to instruct the Chief to advise the officers that re: arrests of minors for liquor violations, the reports should be verified by the Officer-In-Charge or the senior officer should review the report to insure that there are no errors in same - his procedures should be amended to include same.

Item 12 - corres. from Chief Germann re: resignation of Captain Richard Campbell - the Bd. agreed to discuss same with Chief Germann at the Work Session scheduled with him on April 14.

Item 16 - corres. from the Purch. Agent re: EDA Pub. Works Grant application - the Bd. agreed to hold on this matter until after Work Session with the School Comm. on April 14.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to continue the Selectmen's Meeting after the hour of 11:00 PM.

Item 20 - corres. from Robert McManimon re: Crystal Lake - the Bd. agreed to change the date of the mtg. with the Rec. Comm. & Varney Pl. Comm. from April 19 to April 26 as previously agreed. (Item 27 same).

Item 31 - corres. re: HR 3601 from James Mason, Esquire - On a motion by Mr. Murphy, seconded by Mr. Hart it was unan. voted to take no action on this corres.

Item 33 - corres. from Bd. of Health re: violation by Commodore Foods - polluting Stoney Brook, on a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to correspond with Evelyn Murphy and the Commissioner of Public Health voicing our complaint regarding this problem - we will send a copy of this corres. to the Bd. of Health.

Corres. Sum.
continued

Item 43 - corres. from residents of Stonehill Road concerning drainage at Deep Brook - on a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to amend the AA recommendation to express our desire to meet with the residents after we get the reports from the Consultant for the Highway Dept.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the balance of the AA's recommendations as amended on the Corres. Sum., and to include same in the minutes of the meeting by reference.

The Bd. agreed to request a status report from the Town Acct. on his report which was supposed to be submitted to the BOS two weeks prior to Town Meeting re: 5-year Cap. Imp. Plan.

New Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to have the lines repainted on the road as it intersects in Central Square - we will instruct the Hghy. Supt. to do this through his office asap, and if his office cannot do this-he should petition the proper authority to repaint same.

The Board agreed to put on the agenda for the next Sel. Mtg. the longevity article for possible inclusion in the Sp. Town Mtg. Warrant.

Mr. Murphy asked the Bd. members their opinion on who is now handling all matters re: Crystal Lake - and he asked if the CLRC is still effective. Mr. Hart stated that at no time did the CLRC take action without receiving input or approval from the BOS.

Mr. Murphy stated that the Public Service Comm. of the Legis. by an 11-4 vote last week voted to essentially extend the Compul. & Binding Arbitration in the same form in which it exists today. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to corres. with the President of the Senate Kevin Harrington to advise him of our opposition to the continuation of this legislation, as our Town has no representation, currently, in the Senate, and we would call upon Sen. Pres. Harrington to speak to our viewpoint on the floor during this debate.

Mr. Murphy moved that the Board corres. with all candidates running for the State Senate Seat from the 5th Middlesex District and ask them for a written response to a series of questions which Mr. Murphy will develop for the Board's review concerning matters relevant to the election & legislation - Mr. Lovering seconded this motion. Under debate, Mr. Shanahan stated that he feels that it is up to each individual to contact candidates, if they so desire, to determine the candidates' views on certain matters. After lengthy discussion, Mr. Lovering moved the question - motion failed for lack of a second. On Mr. Murphy's main motion, it was voted four in favor, one opposed-Mr. Shanahan, to have Mr. Murphy draw up questions for the Board's review to the candidates who are running for State Senate in the 5th Mid. District. Mr. Murphy will leave a copy of the questions for the Board's comments in the near future.

Mr. Shanahan thanked Mrs. Haines for her help during the past week in bringing him up to date on certain matters and methods in which the Board operates.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to

corres. with the Jaycees regarding the violation of the sign bylaw by the carnival signs which appear all over Town on telephone polls, buildings, etc. - we will ask them to advise the company that we would ask their cooperation on this matter, and we will send a copy of this corres. to the Bd. of Appeals.

Mr. Hart reported on the mtg. held with Mr. Rapallo & the City Manager of Lowell re: sewerage. The City Manager is quite anxious to work with Chelmsford, however, Lowell needs a location for their sluge. Also, Mr. Hart was advised by Mr. Taupier that legis. may be extended which allows for laterals, and if we have an opportunity to have them paid for, we should take advantage of same. Lowell would be more than happy to work with Chelmsford regarding this matter. Lowell did not change their position re: sludge. Mr. Hart further stated that City of Lowell will not present a major hold up on Chelmsford's application-they are ready to go ahead with the plans and will help out Chelmsford if they can. The City of Lowell still wants to work with us re: how to handle the sludge problem, and they will develop a schedule and forward same to us.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to adjourn the meeting. The meeting adjourned at 11:45 PM.

For the Board of Selectmen, by

Bonita Towle

Members
Present

Regular Meeting of the Board of Selectmen held April 19, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Lovering. Mr. Hart was not present due to illness. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:35 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the meeting held April 11, 1977, and the Exec. Session Minutes of April 11, 1977.

Board Reports

Chairman Currier reported that a Work Session was held with Chief Germann last Thursday to discuss several issues which are currently before the Board.

Adm. Asst.
Reports

Mrs. Haines reported that she met with John Oberti re: traffic on Manahan Street caused by cutting through break in parking area in Chelmsford Mall. Mr. Oberti informed the AA that he would have a railing installed along the area in question to prohibit traffic from using that portion of Manahan Street as a short-cut for trucks, etc.

The Town Accountant submitted a Request for Transfer from the Reserve Fund in the amount of \$9,608.39 for insurance, as the premiums on Workmen's Comp, Prof. Liab. and the Pol. & Fire Accident Policies did not have sufficient funds in their account - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve this transfer. The AA stated that we will need an additional trans. in the future, for the third quarter of Work. Comp.

The AA advised the Board that a truck has been parking at the rear of the Town Hall for the past few months in the late afternoon & evening. The truck is owned by Frito-Lay and the driver who parks it there is Bill Vaughan, who resides on Littleton Road. Mr. Vaughan requested permission to park the truck at this location in the late afternoon to early morning, as he has no place to park same at his home. The AA requested that the Bd. approve Mr. Vaughan's parking of the truck at the rear of the TH from 6PM to 7AM. Mr. Murphy felt that this would be a dangerous precedent to set. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Vaughan that he can park his truck at the above location from 6PM to 7AM for the next 30-day period, after which time he should find another suitable location for same.

Mr. Currier informed the Bd. that with the coming of Town Meeting, we may well be meeting twice per week, and he suggested that if this is the case, the Sel. Mtg. could be scheduled every other week, due to the heavy workload on the AA during this time. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to schedule the Sel. Mtg. every other week during Town Mtg., if the pleasure of the voters is to meet twice a week during Town Meeting.

Bd. Reports
continued

The AA informed Mr. Murphy that she is awaiting a report from J. Paul Bienvenue re: Swain Road Landfill on Wednesday.

The Bd. agreed to hold on Annual Appts. until the full Board is present.

Unfinished
Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Richard Sargent, second choice of the Rec. Comm. as Rec. Director for the Rec. Comm., as the first choice of the Rec. Comm. has found employment in the private sector.

Mr. Charles Brach of Demers Truck Center was present and informed the Bd. that he has 3 bids which he wishes the Board to open this evening for the Hghy. Equipment. The driver of the truck which was supposed to bring the bids to the Town Hall prior to the 2PM deadline was involved in an accident and unable to deliver same on time. Mr. Currier asked the Bd. their disposition on opening these bids with the others, in view of the fact that they were not submitted within the deadline. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to reject the bids unopened from Demers Truck Center - Mr. Currier returned the bids to Mr. Brach at this time.

Sealed Bids were opened and read aloud on the following items at 7:45 PM:

1) Police Dept. Cruisers: Colonial Chevrolet - compact:\$27,662.25 - mid-size:\$28,116.09; Jim Witt Pontiac/GMC: compact: \$28,493.68- mid-size: \$30,344.50; Shawsheen Motor Mart, Inc: no bids in either category. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the Purch. Agent.

Bid Openings:
Pol.Cruisers;
Salt Shed;
Bus Trans; Am-
bulance Serv;
Highway Equip.

2) Salt Storage Shed: A single bid was received - On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to open the single bid from Agway in the amount of \$23,040. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement and refer same to the PA.

3) Bus Transportation Service: A single bid was received from Marinel Trans., and on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to open the bid which was in the amount of \$28,000. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement and refer same to the PA.

4) Ambulance Service: Medic Ambulance Service, Inc: \$8,000 first year; American Ambulance: \$6,000 first year. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

5) Highway Equipment: a) 1 Dump truck/body 27,500 GVW - Jim Peirce's Ford World: \$17,309; Nassar Ford: \$16,440; Lawrence Mack Sales & Service, Inc: \$18,860; Shawsheen Motor Mart, Inc: \$16,406. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

b) 1 Dump truck/body 24,000 GVW: Jim Peirce's Ford World: \$11,470; Nassar Ford: \$12,878; Shawsheen Motor Mart, Inc: \$12,562. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

c) 2 snow plows: E. J. Bleiler Equip. Co. Inc: \$3,784; Casey & Dupuis Equip.Corp: \$3,590. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refersame to the PA.

Bid Opening:
Hghy. Dept.
Equipment
continued

5d) 2 sander bodies: E. J. Bleiler Equip. Co. Inc: \$7,530; C.N. Wood, Co. Inc: \$9,629; Casey & Dupuis Equip. Corp: \$10,838. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

e) 1 truck chassis & cab 20 cy: Nassar Ford: \$16,774; Lawrence Mack Sales & Service, Inc: \$14,575; Shawsheen Motor Mart, Inc: \$15,867; Jim Peirce's Ford World: \$12,831. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

f) 1 packer body 20 cy: Truck Equip. Boston, Inc: \$13,200; Truck Equip. Boston, Inc: \$9,280; Morse Body Mfg. Co. Inc: \$11,907; C. N. Wood, Co. Inc: \$9,982; Casey & Dupuis Equip Corp: \$9,200; Donovan Spring & Equip. Co. Inc: \$9,461. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

g) 2 truck chassis & cab 16 cy: Shawsheen Motor Mart, Inc: \$28,554; Jim Peirce's Ford World: \$24,414; Nassar Ford: \$28,846; Lawrence Mack Sales & Service, Inc: \$35,760. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

h) 2 Non-packing bucket type loader bodies 16 cy: A single bid was received in this category. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to open the single bid from Truck Equip. Boston, Inc, in the amount of \$26,000. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement and refer same to the PA. The Bd. agreed to request the PA to ask the 7 persons to whom he sent the bid info. if they in fact have this type of equipment, as we only rec'd. one bid.

i) 1 sidewalk snowplow tractor: E. J. Bleiler Equip. Co. Inc: \$11,100; Timberland Machines, Inc: \$14,200. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bids under advisement and refer same to the PA.

Mtg. with Rep. Bruce Freeman re: Legislation
A mtg. was held with Rep. Bruce Freeman re: Legislation. Rep. LeLacheur could not attend the mtg. at 8PM due to another engagement - he will be invited to a Sel. Mtg. in the near future which will not be in conflict with his schedule. Rep. Freeman reviewed some of the Legis. Package and he stated that basically, he has no problem with any of this legislation. Rep. Freeman advised the Board of some legislation which he introduced this year.

Hearing: 2 Highway Dept. Employees - Disciplinary Hearing
Exec. Session
Mr. Currier informed the Board that as it was 8:30 PM, the Board had scheduled a Disciplinary Hearing re: two Highway Dept. employees. The employees are Kenneth Burrows and Joseph Oczkowski and the Disciplinary Hearing concerns an accident involving a Highway Dept. vehicle and an automobile on March 18, 1977. Mr. Currier read an opinion from Murphy, Lamere & Murphy re: this hearing & charges against employees - the hearing may be held in Exec. Session provided that the Sel. so vote by Roll Call citing the purpose of Exec. Session - if the individuals involved request an Open Hearing, the Hearing must be held in open session. Persons present involved in this matter were as follows: Mr. & Mrs. Robert Sexton, Lynn Sexton; Sgt. Armand Caron, Patrolman Richard Adams, Officer John Redican; Arthur Murphy, LRA; Joseph Oczkowski, Kenneth Burrows, Louis Rondeau, John Fantozzi, Paul McWade representing the Highway Union and Maurice Teehan, Highway Union Steward. Mr. McWade requested that the Hearing be held in Closed Session. Mr. Murphy moved that the Bd. adjourn to Exec. Session to consider the discipline of, or to hear complaints against employees. As persons are requested to give testimony, they will enter the Sel. Mtg. Room and leave after their comments are heard. The employees and the Union Steward and Mr. McWade will stay in the Sel. Mtg. Room during all testimony. The motion was seconded by Mr. Shanahan - Roll Call vote was as follows on Mr. Murphy's motion: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Currier-Aye. At 8:45 PM the Board unan. adjourned to Executive Session to discuss the above issue. Mr. Currier stated that the meeting will be re-convened to Open Session after this hearing is completed.

At approximately 10:55 PM the Board re-convened to the Open Meeting. Chairman Currier stated that the Board met in Executive Session to discuss disciplinary action against two Highway Department Employees. At the conclusion of the hearing the Board held a private discussion and the following action was taken by the Board of Selectmen: Mr. Oczkowski will receive one day's suspension without pay plus one-half restitution to be paid within 60 days time regarding damage done to a vehicle which is estimated between \$200 to \$225 total damage; Mr. Burroughs will receive two weeks' suspension without pay plus one-half restitution to be paid within 60 days time regarding damage done to a vehicle which is estimated between \$200 to \$225 total damage.

Board
Re-Convened
to Open Mtg.

At 11:00 PM the Board recessed for five minutes.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to suspend the meeting rules and continue the meeting past 11:00 PM.

A mtg. was held with Richard Meaney re: Quessy School. New officers of the Chelmsford Players were present - they were: Kevin Shanahan, President, Bob Rossi and Diane Landry. The Chelms. Players are interested in participating in greater detail in the field of theatre in Town and would like to use the Quessy School in other capacities other than the present cold storage. They would like to hold meetings there, functions, rehearsals, and sub-let the bldg. to other related groups. After discussion, the Board agreed to have the AA schedule a Public Hearing with abutters of the Quessy School re: extended use of the bldg. by the Chelmsford Players. The AA will be in contact with Mr. Shanahan. The Chelms. Players requested increased lighting outside the School to deter vandals.

Mtg. with R.
Meaney re:
Chelms. Players
& Quessy Schod

Mr. Currier reported that the Bd. held a Work Session with the ^{FinComm &} School Comm. last Thurs. to discuss the McFarlin School. The School Comm. has agreed to turn the McFarlin School A Bldg. over to the Selectmen. The School Comm. will use the Highland School for 6th grade classes. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to return the Highland School to the School Comm. The Bd. agreed to instruct David Ramsay to work with the Dept. Heads to give the BOS some preliminary recommendations on use of the McFarlin School, as this is within the scope of his duties - the Town Planner & Spec. Proj. Asst. have already been charged with this on a Town-wide basis. A FinComm member informed Mr. Murphy that the School Comm. is contemplating putting two persons in their employ - and they request that the BOS hold 2 CETA slots for same. Mr. Currier, as Chairman, will contact the FinComm to discuss same prior to the next Sel. Mtg.

Unfinished
Business
continued

The Bd. reviewed the list of proposed Capital Improvements. Changes were made as follows: remove additional help from the Park Dept; the Bd. agreed to ask Dept. Heads to furnish reasons they requested capital improvements as indicated on their requests; Re: aerial photography, the Board agreed on the following figures: 1979-\$25,000; 1980-\$50,000; 1981-\$50,000; 1982-\$10,000; 1983-\$10,000; Sidewalks: \$75,000 for the years 1979 through 1983; Drainage: \$50,000 for the years 1979 through 1983. The Bd. agreed that at this time, they were not in the position to fill in amounts on the remaining items on the Cap. Imp. List. The 5-year plan will be presented at the beginning of the Town Meeting and will be presented by Mr. Murphy.

The Bd. agreed to hold on discussion re: Police Captain for a period of 3 weeks.

The Bd. agreed to hold on longevity discussion as it relates to a STM article until mtg. 4/26.

The Bd. is in receipt of a letter from the Bldg.Insp. re: A.J. Coutu, Inc. Junk License - there is no violation on the premises in question at 175 Gorham Street. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to issue a Junk Collector's License to A. J. Coutu, Inc. (renewal).

The Bd. discussed the list of budget & article assignments provided by Mr. Currier and the AA. Mr. Murphy requested that art. 20^(sale shed) be assigned to PCII and art. 49 be assigned to AJL (roadside stands). If any Bd. member has any changes, he can leave them with the AA over the next two days for a compromise.

Corres.Sum.

Item 2 - the AA is awaiting a report from MEC re: charge for poles, and the Bd. agreed to hold on discussion re: corres. from MEC for Sel. Mtg. 4/26/77.

Item 3 & Item 15 re: Toll House - the Chairman will attend the hearing given by the Hist. Dist. Comm. on May 3 at 8PM re: moving of Toll House. He will express the Board's feelings regarding the Toll House - the Bd. does not wish to have a foundation constructed under the Toll House.

Item 11 - corres. from Raymond Wilkins re: illegal signs on North Road - Mr. Murphy informed the Bd. that at present, all of the illegal signs are not down concerning the condominiums across from the Police Station - the Bd. agreed to advise the Bldg. Insp. that all of the signs are not down yet - there is one on the corner opposite the Police Station.

Item 13 - corres. from Hist. Comm. re: Fiske House is eligible for Nat'l. Register - the Bd. agreed to advise the Hist. Comm. to inform Mr. Redstone of this.

Item 27 - corres. from Chas. Mistretta re: use of Chapter 825 funds. The AA advised the Bd. that Paul Bienvenu is bringing plans for Fletcher St. to the AA's office this week and re: High Street - the residents will sign the easements now. The Bd. agreed to advise the AA to work on an action item for encumbrance. The Bd. also requested that P. Bienvenu develop a final plan for funding within the next two weeks.

Item 31 - corres. from Chris Eliopoulos re: NYC - the Bd. agreed to ask Jerry House for a report listing jobs, duties & specific skills within two weeks' time.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum. as amended, and to include same in the minutes of the meeting by reference.

New Business

The Bd. agreed to request the Police Chief to inform the Bd. the reason that the Pol. Dept. service charges are down so much from last year - Mr. Murphy stated that he is not aware that we are excluding persons from service charges or have less demands from that service.

The Bd. agreed to forward a letter to Chas. Mistretta re: conditions on roadway at Drum Hill Rotary - we will ask him why he did not take action to repair the roadway as we previously requested, and we will ask him to specifically review what was supposed to have been done the last time and we will ask him what guarantees the State has for its performance.

The Bd. agreed to request a written report from the Police Chief re: a police car accident near Drum Hill.

The Bd. will request a report from the Fire Chief re: progress on his safety program and his policy on exams for Town employees re: Work. Comp. issue.

Mr. Murphy placed some info. re: Mass. Environmental Coalition in the Reading

Folder and he would like to discuss same on the agenda on 4/26.

Mr. Murphy informed the Bd. that legis. re: last best offer-col. barg. will be discussed in the Senate in two weeks and the municipal organizations are requesting that citizens submit letters to Senate Pres. Harrington. Mr. Murphy will prepare a draft of a letter for the Board's review this Thursday. We will release the letter to the press and if residents would like to prepare a similar letter, or sign a signature page, they could leave same in the Selectmen's Office. The letter could be forwarded to the Lowell Sun, Newsweekly and Middlesex Citizen. The letter could state that basically, the Legis. appears to be reacting to letters which they receive from their constituents and as this is the way they are advised of public opinion, if they are supportive of our position, they could sign a similar letter which we would accept in our office- we will establish a date by which the letter should be received - the letter will appear in Letters to the Editor.

Mr. Shanahan advised the Bd. of a problem with the ramps coming off the entrances to the Summer Street Shopping Area - the ramps are abutting Town jurisdiction and are not in good condition. The Bd. agreed to contact the owner of the property and advise him of these conditions-a copy of same will be forwarded to the Supt. of Streets.

Mr. Lovering received a request from Mrs. Gonsalves of Biltmore Avenue to have the Dog Officer investigate a complaint concerning a dog owned by Mr. & Mrs. Paquette of Brick Kiln Road (black dog) - the Bd. agreed to advise the Dog Officer to investigate same & furnish the Bd. with a written report on same.

Mr. Lovering was advised by Ms. Mildred Sophos, 49 Billerica Road, of a problem Mrs. Sophos has re: newspapers. She has quite a large amount of newspapers in her garage which she is unable to carry out to where she deposits her trash- she would like the truck to back up to her garage and pick up the papers. As this would be setting a precedent - the AA will contact Mrs. Sophos and make some arrangements to have the papers picked up.

Mr. Currier stated that in the Sig. Folder this Thursday the tally of articles will be placed and each Bd. member should initial the articles which he supports- if there is a question on support, presentation at Town Meeting can be heard prior to the Board's final disposition on same.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to award the bid for Fire & Police Accident & Health Ins. (single bid) to Roger Welch Ins. Agency in the amount of \$7,740.

The next mtg. is April 26 at the North School and the Town Mtg. is April 25 at the McCarthy Jr. High School.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 12:25 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors drawn by Sel. Currier on April 19, 1977 - William Fulton, 144 High St; Gregory Gardner, 10 Footpath Rd; Grace Beers, 105 Warren Ave; Victor Carignan, 159 Tyngsboro Rd; James Tansey, 6 Mt. Pleasant St; Samuel Ottey, 314 Old Westford Rd; Enid Bernardi, 8 Queen St.

Meeting
Adjourned

Regular Meeting of the Board of Selectmen held April 26, 1977 at the North School, Groton Road. As an agenda item was scheduled re: Crystal Lake, the meeting was held in North Chelmsford in hopes that more residents would attend and participate in the meeting. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., called the mtg. to order at 7:30 PM.

Regular
Meeting
Members
Present

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting & Exec. Session of the Sel. Mtg. held on April 19, 1977.

Board
Reports

Mr. Murphy reported that last week the BOS agreed to prepare a letter re: compulsory & binding arbitration for Pol. & Fire in terms of a letter to the editor - the letter was signed by the Bd. last evening at Town Meeting and turned over to the Press.

Mr. Murphy reported that on this date the AA mailed out by Cert. Mail a copy of our questions to the candidates for the 5th Senatorial District Election. We expect same back with responses for our mtg. on May 10. Mr. Murphy stated that the Sec. of State's Office had 7 candidates listed and Mr. Murphy has heard that an Indep. candidate from Waltham - Martin Lyons is intending to run for this office also - if this is the case, we should forward a copy of the questionnaire to Mr. Lyons, and Mr. Murphy will try to give the address to the AA this week.

Adm. Asst.
Reports

Mrs. Haines reported that Paul Bienvenu prepared a cost estimate for the sidewalk construction for a STM Warrant article - she asked the Bd. to furnish their comments on same. Mr. Currier stated that at the recess at 8:45 PM the Bd. can review same and vote on the cost estimates later in this meeting.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve Requests for Transfer for the following: Sel. Dept. Expense-\$1,130; Photocopy Machine-\$2,500; Elections Dept.-\$6,000 (based on Special Primary & Special Election); Law Dept.-\$39,318.79 - the Bd. agreed that if the trans. for the Law Dept. cannot be approp. from the Reserve Fund - an article will be placed in the STM Warrant for an Unpaid Bill^{article} for the Law Dept. in the amount of \$39,318.79.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted to change the Sel. Policy re: hours in which the polls are to be open for the Special Primary & Special Election (Senatorial Election) from 10AM to 8PM - as school will be in session on these two dates - this was voted four in favor, one opposed-Mr. Lovering.

Bid Openings:
Workmen's
Comp. and
Group Ins.

Sealed Bids were opened & read aloud for Workmen's Comp. and Group, Hosp, Surgical, Medical & other health ins. at 7:45 PM. Bids for Workmen's Comp. were as follows: Picken Ins. Agency, Inc: \$83,038; Caddell & Byers - no bid in view of Chelmsford's horrendous experience in this type of ins. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement & refer same to the PA. A single bid was received for Group, Hospital, Surgical, Medical & Other Health Ins. from Blue Cross-Blue Shield. The PA explained that BC-BS was almost exclusively the only bidder on this type of ins. in the State of Mass., as most other ins. companies do not offer this plan. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to open the single bid from Blue Cross-Blue Shield which was for \$18.08--hospital expense for employee only. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement & refer same to the PA.

The Board, on a motion by Mr. Murphy, seconded by Mr. Shanahan, signed a proclamation re: the Executive Office of Environmental Affairs re: staffing, etc.

Proclamation-
Exec. Office of
Envir. Affairs
Annual
Appointments

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Mrs. Evelyn M. Haines as Adm. Asst.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was voted three in favor, two opposed-Selectmen Murphy and Lovering, to re-appoint Peter J. McHugh, Jr., as Building Inspector. Each Bd. member explained his vote on this re-appointment. For Bd. comments, see page 5 - addendum to mtg. 4/26/77.

At this point in time, Mr. Shanahan requested a point of personal privilege. He stated that at the Selectmen's Meeting held April 11 he voted and participated in the signing of a liquor license for Matt Doyle, Inc., as the Board was mandated by the Courts to do so, and advised by Town Counsel McCarthy to sign same. Re: the matter before the Bd. this evening, the Stuart Street Chowder Society, and all future matters dealing with liquor licenses in the Town of Chelmsford, Mr. Shanahan stated that he asks the Chairman to be excused from his seat, as a member of his immediate family is a sales representative for a whole-sale liquor distributor with present and potential accounts in the Town of Chelmsford. Mr. Shanahan stated that this could present a possible conflict of interest, and therefore, Mr. Shanahan requested to be excused from this matter before the BOS this evening, and any future considerations in the area of liquor license applications. At this point, Mr. Shanahan joined the audience.

Point of Priv-
ilege-Mr.
Shanahan
re: Liquor
Licenses

At 8:00 PM Mr. Currier opened the hearing re: Stuart Street Chowder Society Liquor License. Mr. Prendergast was not present; however, Howard Wayne, Counsel for Mr. Prendergast was present in his behalf. Mr. Wayne stated that neither Mr. Prendergast nor Mr. Dedusus could be present this evening, as they are out of Town and cannot be reached. Mr. Wayne was away for the previous two weeks and therefore, he did not have a chance to contact Mr. Prendergast regarding this hearing, and vice-versa. Mr. Wayne asked that the Board grant Mr. Prendergast a two week continuance of this hearing, until all parties may communicate prior to the May 10 Selectmen's Meeting. All Board members agreed to re-schedule this hearing for May 10, however, this is the last continuance the Bd. will grant on same. Mr. Currier read a portion of Chapt. 77 of the MGL regarding revocation of a liquor license. Mr. Wayne requested that all future corres. be directed to his attention at 100 Federal Street, Boston, rather than at his Milk Street Office. Mr. Hart requested that at the Bd. mtg. on May 10 the Bd. should hear testimony as to why the license should/should not be revoked, and the Bd. can make their decision after hearing discussion on same. At this time, Mr. Shanahan re-joined the meeting.

Stuart St.
Chowder Soc.
hearing -
re-scheduled

At 8:15 PM Mr. Currier opened a hearing for a Class II Auto Dealer's License at One Oak Street - Alan Burke requested same. Mr. Burke was not present, however due to the unusual location of this meeting, Mr. Currier stated that the Bd. would open the hearing and declare same recessed until 9:15 PM to give Mr. Burke an opportunity to arrive at the meeting.

Class II Auto
Dealer's Lic.
1 Oak St.
opened

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to re-appoint Richard Lahue, Jr., as Clock Winder.

Annual Appts.
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Mrs. Stasia Wojtas as Asst. Dog Officer.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Frank Wojtas as Dog Officer.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Neal Stanley as Gas Inspector.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Myles Hogan as Insect Pest Control Supervisor.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to re-appoint the firm of Murphy, Lamere & Murphy as Labor Relations Advisors. Mr. Lovering requested that the Board hold on the re-appointment of the Sealer of Weights & Measures Anthony Ferreira, pending receipt of his reports from his meetings & data requested from the meetings by the Board with the Comm. in Boston. The Board agreed to hold on this re-appointment.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Louis Rondeau as Supt. of Streets.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Mrs. Kathleen Robinson as Town Aide.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to re-appoint James Harrington, Esquire, as Town Counsel.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Mrs. Mary McAuliffe as Veterans' Agent.

Mr. Shanahan moved to re-appoint Selectman William R. Murphy as Director of Veterans' Services-the Bd. unan. voted to re-appoint Mr. Murphy as DVS.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Mr. Harold Tucke as Wiring Inspector.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint James Woodman as Youth Center Coordinator.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to re-appoint the firm of Emmons, Fleming & Bienvenu as Consultants for the Highway Dept. The Bd. had previously agreed to consider (this Spring) the possibility of consolidating the efforts of the Consultant for the Hghy. Dept. and for the Planning Bd. into one firm - this will be considered in the near future. The Chair will consider this item a few weeks after Town Mtg. is adjourned, hopefully in June of 1977.

Unfinished
Business

Mr. Currier stated that it may become necessary to place an article(s) in the Special Town Meeting Warrant for longevity (for some employees who are not legally covered under longevity or may be covered but the process has not become formalized. Mr. Murphy stated that the basic concern is that when the longevity article came before us at the Town Mtg. several years ago, it resulted in Collective Bargaining for the Police & Fire Departments - at that time, it should have been restricted to those persons in the depts. on the Col. Barg. Unit; because of the wording of the article, longevity is being applied to everyone in the depts. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to propose the following two motions: 1) BOS will submit an article in the STM Warrant stating that the longevity article, as it applies to Police & Fire, applies only to those persons on the Col. Barg. Unit; 2) BOS will submit another article in the STM Warrant stating that the Grandfather Clause protects those persons in the position who are receiving longevity.

Mtg. with
H. Rubenstein
et al re:
Fairbanks
Road

A mtg. was held with Harry Rubenstein, et al re: drainage on Fairbanks Road. Several residents of Fairbanks Road were present, as well as J. Paul Bienvenu, Consultant for the Hghy. Dept. Mr. Rubenstein stated the history of the drainage problem on Fairbanks Road to the Board, as the problem has been occurring for a number of years. To remedy the problem, several months ago the Bd. requested that Mr. Bienvenu survey the area to determine how the problem could be alleviated. He suggested that the residents sign easements to allow the Town to be able to correct the situation caused by the water flow from Brentwood Road. The residents do not wish to sign easements; however, they wish to sign informal letters granting the town ^{permission} (through Mr. Bienvenu's firm & the Hghy. Dept.) to correct the situation. A lengthy discussion was held during which time it became quite evident that the residents were reluctant to sign easements for the Town. A number of solutions were offered, but the Board and the residents could not agree on same. At the conclusion of the meeting with the residents, Mr. Hart stated that if the residents were prepared to sign the

easements to allow Mr. Bienvenu do the necessary work, he would be prepared to vote tonight to instruct Mr. Bienvenu to start this project asap. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to take this entire matter under advisement for a period of 30 days to allow the Town to get some answers we have asked of Paul Bienvenu re: solution of the problem and cost estimate to alleviate same. At this point in time, Mr. Currier advised the residents that he must adjourn discussion on this agenda item for a matter of minutes, and he will re-open discussion shortly.

Mtg. with residents re:
Fairbanks Rd.
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to close the hearing on the application of Alan Burke for a Class II Auto Dealer's License. Mr. Burke was not present for this hearing. It was adjourned at 9:15 PM.

Class II Auto Dealer's Lic.
Hearing closed
A. Burke, 1 Oak St.

Mr. Currier informed the Bd. that the 8:45 PM mtg. with Mr. & Mrs. Joseph O'Connell re: Chelmsford/Westford Town Line has been cancelled and another mtg. to discuss same will be scheduled.

Mtg. with O'Connell re: Chelmsford Tn.
Line cancelled

The Bd. then further discussed the Fairbanks Road matter. On a motion by Mr. Hart, seconded by Mr. Murphy, it was voted three in favor, two opposed - Mr. Shanahan and Mr. Lovering, that if the residents would sign a sufficient number of easements, the Bd. will instruct the Consultant for the HD and the Hghy. Supt. to do whatever work is necessary on Fairbanks Road, grade the properties off in question and run off the water. Mr. Currier stated that at the next mtg. in 30 days, the residents can advise the BOS whether or not they will sign necessary easements and the Town can inform the residents of any solutions which have been conceived to solve the problem.

Fairbanks Rd.
Mtg.
continued

The Board recessed for five minutes at 9:30 PM.

The Board met with the Varney Playground Commission and the Recreation Commission to discuss use of Edward's Beach & Crystal Lake. Members of the VPC present were: Mr. Robert McManimon; Mr. Harry Ayotte; and Mr. William Dempster. Members of the Rec. Comm. present were: Mr. Robert Charpentier; Mr. William Dempster; Mr. Harry Ayotte; Mr. Paul Murphy; John Peters and Clerk Evelyn Newman.

Mtg. with VPC & Rec. Comm. re:
Crystal Lake & Edward's Beach

Mr. Currier set ground rules as follows: The Rec. Comm. will have a 15-minute period in which to provide their input re: use of the Lake & beach - then the VPC will have the same opportunity - then residents of the vicinity will have an opportunity to give the Board their views regarding this matter. Town Counsel James Harrington was also present. Mr. Lovering stated that the BOS had asked the Rec. Comm. to advise them what it would take to restore the Edward's Beach area to the condition in which it existed before the dam broke. The Rec. Comm. after considering several possibilities for location of a beach at the Lake decided that the most reasonable location for the beach was at Edward's Beach, where the original beach area was located. At budget time, the Rec. Comm. submitted to the BOS a certain sum of money to be used to employ lifeguards & swimming instructors at the beach - the sum was \$5,260 approximately which would provide for lifeguards at the facility on the weekends & will provide staff persons to provide swimming instruction for the children. Mr. Wm. Murphy stated that funds would have to be requested by a STM Warrant article - and it would be the decision of the Townspeople as to whether or not they want a swimming program at Edward's Beach. The Rec. Comm. does not envision hundreds of persons driving out to the Lake to swim. Mr. McManimon was the spokesman for the VPC - he stated that now there is 1,000% more activity at this time than when the lake was originally used - he is concerned about the parking around the lake - parking for the baseball, tennis & swimming activities he feels will be tremendous. The BOH has advised that the existing toilet facilities are in compliance with the State laws regulating same. Mr. McManimon stated that at present, the lake is not complying with the 100 sub-titles of the State Laws regulating use of lakes.

Mtg. with VPC
& Rec.Comm.
re: Edward's
Beach & CL
continued

Mr. McManimon stated that if a beach were replaced at Edward's Beach, tremendous costs would be added to the Town for Police, Hghy, Health and Fire Depts., as well as for the Rec. Comm. & VPC. Mr. McManimon took a negative standpoint on the issue of reconstructing a beach at Edward's Beach for the afore-mentioned reasons. Mr. McManimon stated that he is not in favor of the reconstruction of the beach at Edward's Beach. Mr. Currier then asked for comments from the residents. Several residents stated that they felt that parking would be a problem in the area if swimming were allowed, in addition to the baseball teams & persons who use the tennis courts. They felt that they would not be able to reach their homes. Chris Alexion asked if the Town could be held liable if someone drowned at the Lake if there was no lifeguard there or if there was no protective fencing to keep people from using the lake - Town Counsel stated that the Town could not be held responsible. William Goodhue, 82 Holt Street stated that there is already a parking problem in the area of the beach. Halvar Peterson, 11 Bradford Road, stated that he feels that the lake should be in operation for at least a year before anything (i.e. beach) is added in that location, in order that we can determine how the water will settle, etc., and he further stated that as the lake is not completely finished, we should wait until the lake is completely finished before discussing the possibility of a beach. Helen Nolan, 19 Willis Drive, asked if the Lake will be tested for swimming soon by the State, or if it has already been tested she would like to be advised of the results. Mr. Currier informed her that we will ask the BOH and get back to her with their answer. Joyce Mace, 30 Russell Road stated that the grading around the lake is not the same as it was in the original lake - there is more of a drop-off in the new lake. Robert Gagnon, 114 Groton Rd. stated that even if a fence is constructed around the lake, youths are sure to jump the fence anyway, and will swim although they are not authorized or allowed to swim in the lake. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was voted three in favor, two opposed-Mr. Currier & Mr. Hart, to place \$5,280 in the budget for salaries and supervision of the beach at Edward's Beach at Crystal Lake, only, should we implement some sort of program. Mr. Hart addressed several questions posed to him by residents in the vicinity re: use of boats on the lake, parking, swimming, etc.

At 11:00 PM the Board recessed for a 5-minute period.

Continue past
11 PM

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to continue the meeting past 11:00 PM.

Unfin.Bus.
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to formally adopt the revised version of the Purchasing Manual which was furnished to the Board by the Purchasing Agent Chris Alexion.

Corres.Sum.

Item 4 - corres. from Jas. Harrington, Town Counsel re: East School rental by Boy Scouts. Robert Charpentier of the Rec. Comm., who is Pres. of the Boy Scouts local was present and explained that the school would be used to house records & offices for the Boy Scouts for 3 secretaries and one part-time helper who would use about $\frac{1}{2}$ of the bldg. They would pay \$2,000 per year for use of the East School. After Mr. Charpentier explained the Boy Scout's proposal for a 3-year period, the Bd. agreed to allow the Boy Scouts to use the facility in accordance with the AA's recommendation. The Counsel for the Boy Scouts should prepare a proposed lease for use of the East School for the Board's review & Town Counsel's review.

Item 16 - corres. from A. Christopher re: Rail Research & Operation Specialist - Mr. Lovering will meet with the AA and discuss this item further re: abandoned lines.

Item 22 - corres. from Gov. Michael Dukakis re: our letter to him concerning the problems of 'no-show' jobs, etc. in the Commonwealth. On a motion by Mr.

Lovering, seconded by Mr. Shanahan, it was unan. voted to forward another letter to the Governor requesting once again that he consider our proposal regarding formation of a Crime Commission - this was the only area of our letter to which the Governor did not address a response.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's Recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

The Board discussed the sidewalk installation plans & report from J. Paul Bienvenu. Mr. Currier requested a change in the proposal regarding the proposed sidewalk in the vicinity of Boston Road. Mr. Currier feels that a sidewalk shd. be installed on Wildes Road from Janet Road to the crest of the hill. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to reserve, in the Hghy. Dept. (rather than Emmons, Fleming & Bienvenu) budget, a small amount of money to have the HD build this sidewalk this summer - sidewalk to be constructed on a section of Wildes Road which starts at Janet Road and runs to the crest of the hill. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to present an article in the STM Warrant for sidewalks in the Center & McFarlin area, Westlands area, So. Row area for a dollar figure of \$74,670. Mr. Lovering suggested that we ask the School Comm. how many dollars will be saved over the next five years by constructing these sidewalks - we should have this info. for Town Mtg., and the AA will secure this info. prior to Town Mtg. (Special). The Bd. agreed not to use granite curbing, but to survey the area carefully to determine how much room we will have to put the sidewalk in, and if possible, keep it far enough away from the edge of the road so that we will not have to construct any curbing - granite curb will be installed where necessary, no curb will be installed where it is not necessary.

New Business

The AA will request a status report from Town Counsel re: Mill Pond matter.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to prepare regulations for the STM regulations which restrict motor boats or electric motors at Crystal Lake which are 3 horse power or less - Town Counsel can determine what size horse power will be prohibited, exactly.

The AA will contact Paul Bienvenu re: his plan (revised) for Fletcher St. widening - an article will be in the warrant for same. The plan will have to include changes suggested by the BOS previously. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to place an article in the STM Warrant for the Fletcher St. widening.

Another article in the STM Warrant will be for the Fire Dept. to transfer funds from one acct. to another; and an article for an unpaid bill for the Sewer Comm. and if necessary, an article will appear for the Rec. Comm. for supvsrs. at the Lake in the amount \$5,280, if we could not trans. from the Reserve Fund for same.

Mr. Murphy requested a status report on the following five items: did we ever get ins. claims filed & money returned to the Community re: Wellington's illness; we have not rec'd answer from BI re: abandoned bldgs. on Spring St.; Hell's Angels property on North Road; and abandoned property near bowling alley on Alpine Lane; group report addressing alcoholism among teens from D. Butler; monthly updates from Share reps. have not been received; the Supt. of Schools promised us a list of all school or tn. expenditures we were submitting to the State; we had asked the Bd. of Assessors how they were getting along with the matter re: property on Bentley Lane - they had given an abatement and took it back.

The AA will visit the Route 495 Rest Area to determine the extent of the problems

caused by gatherings in that area. The Pol. Dept. has recommended that a fence be installed which would solve alot of problems - we will see if the State will go along with the construction of the fence.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to request the Chief of Police to have the fire lanes in shopping areas throughout the Town patrolled on a regular basis, as there are many violations on parking in fire lanes.

Mr. Lovering stated that re: the Police Chief's getting up at Town Mtg. on April 25 and asking for a \$30,000 increase - he feels that this is the beginning of a case in which he ^{Police Chief} could say, if there is a problem in the next FY, that he did not have adequate funds in his budget to get the job done. At a Work Session held previously, the Police Chief stated that he could do the job without the \$30,000. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to go on record with the Police Chief indicating that even though his budget was reduced, we expect him to provide the necessary service to provide safety in the Community. Mr. Shanahan stated that he felt that it was poor judgement on the Police Chief's part to get up for the additional \$30,000 without advising the BOS of his intentions. Mr. Currier advised the Bd. that earlier in the day (April 25) the Police Chief advised him via telephone conversation, that he 'was going to get up on Town Meeting Floor and ask for the money and ask the townspeople what they want to do,' and he also stated that 'maybe he would wait and see what the tenor would be.' Mr. Currier told the Police Chief that in other words he felt that this move would be gutsy (stupid). Mr. Lovering stated that he feels that this is insubordination on the part of the Chief. Mr. Hart stated that the Chief's action was warranted and that he had a right to get up. Mr. Murphy stated that he feels that it was poor management on the Chief's part.

The Bd. agreed to schedule a Work Session with the FinComm. on May 2 at 6:45 PM to discuss the salt shed and other Town Mtg. articles. Mr. Lovering wishes to ask the FinComm why they did not go along with our recommendations on the budgets - as the FinComm recommendations were higher than those of the BOS, and the Townspeople are not aware of same.

Mr. Lovering furnished each Bd. member with a revised sheet re: recycling program which includes some changes. It does not make sense to separate into 4 categories - the Bd. is recommending that we separate into 3 categories as previously presented.

We will amend the landfill article dollar amount on the floor of Town Mtg. to \$129,000 in view of the corres. rec'd. from P.Bienvenu.

Mr. Hart stated that on the sheet which Mr. Gallagher handed out earlier re: Fairbanks Road, item 3 states that water is not only going under Hornbeam Hill Road, but it is also going over Hornbeam Hill Road - the Bd. agreed to request the Hghy. Supt. and the Consultant for the Hghy. Dept. to investigate this complaint and forward the Bd. with a written report on this problem.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to advertise immediately for the position of Police & Fire Dept. mechanic - the BOS will do the interviewing for this position - it was agreed that Mr. Hart will work with Chief Reid to prepare a Job Description for the Board's review. The Bd. agreed to ask the Town Acct. if we can hire now - the article stated the position was for \$15,000 this year and \$15,000 next year.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 12:00 Midnight.

For the Board of Selectmen, by

Bonita Towle

Addendum to Selectmen's Meeting April 26, 1977 - Board's comments regarding the re-appointment of Peter J. McHugh, Jr., as Building Inspector.

Under discussion re: re-appointment of Peter J. McHugh, Jr., as Building Inspector, Mr. Lovering stated that he feels that the BOS should take the opportunity to assess the available candidates for the position of Bldg. Insp. to the community as opposed to automatically re-appointing the current Bldg. Insp. Mr. Lovering feels that it is clear, from comments he has made in the past to the BOS, his feelings re: performance of the current BI. Mr. Lovering does not believe that his performance is aggressive as Mr. Lovering would like to see it to be - the Archer Appliance case is an example of the costs & problems which the Town has had to face because of the BI's performance. The Harvey land in the Center of Town with regard to the lack of Town Counsel being able to take action due to insufficient data from the BI is another example. This Bd. has seen over the past few years complaints with regard to the residents of East Chelmsford concerning zoning enforcement with regard to illegal apartments as a further example. The business community was concerned when the BI Dept. interpreted State legislation in an overly aggressive manner to the extent where subsequent interpretations had to be made. There have been many instances where the BI has not been available in his office to the residents when they needed him. The Bd. is aware that the BI has attended conferences & mtgs. outside of the community without notifying this Bd. prior to his going that he would be unavailable. Mr. Lovering feels that the people of Chelmsford deserve an opportunity to determine who is the best available person to perform the functions of BI, and he therefore suggests that the Bd. consider advertising for this position.

Mr. Murphy had several examples which build a similar case against re-appointment of the BI. They were: enforcement of a pool problem too close to the road which was not corrected until after the Summer season when the pool could no longer be used-the pool is still there; an illegal sign in the community advertising farm produce was not removed until after the growing season was over and the stand was down; enforcement of safety conditions on a piece of property on Pine Hill Rd. was only resolved after the BOS reminded the owner to get the problem corrected about one year later; an abandoned bldg. is still not protected on North Road; a problem on Spring Street has not been resolved; the problem of illegal signs in Town has not been improved over the last year or so; on one occasion the entire BI Dept. closed its doors for one week while the BI and his CETA asst. attended a mtg. on the Cape which he said was mandatory-that was one of 4 sessions held throughout the State - attendance at only one seminar was mandatory, there was one held in Waltham-even if the one on the Cape was the only one, the office should not have been shut down - the BI could have gone & the asst. could have manned the office; other mtgs. attended by the BI which he said were mandatory were not required to be attended by State law; the BOS have indicated to Mr. McHugh that because of the Conflict of Interest Law his daughter could not be working for him in his dept., and he was instructed not to employ his daughter-in fact, he was informed that he should hire CETA Personnel-a few months later we found that he submitted a request for a trans. from the reserve fund for 6 or 7 months to pay his daughter's salary, when he was directed not to; this year's presentation of his budget to the BOS differed from his request to the FinComm; the Board is trying to resolve a business operation on Burning Tree Lane, as well as the Archer situation on Billerica Rd. Mr. Murphy further stated that many problems do not get resolved until the BOS make many reminders to the BI to insure that the job is done - in some cases the community has incurred expenses for engineering work caused by errors in judgement by the BI. For the above reasons, Mr. Murphy could not support the re-appointment of Mr. McHugh as BI.

Mr. Currier stated that during the past year he had been very concerned, on

several occasions with the performance of the duties of BI Mr. McHugh. On occasion, Mr. Currier has been most pleased with his performance. Mr. Currier feels that his job is difficult, and as five Selectmen, the Bd. hears more often about the problems in Town than one BI can hear because the Sel. have people calling them and telling them their problems - when you suggest that they call the BI you may get answers that they have tried to reach him and cannot get in contact with him; or that they have told him about the problem and he has not done anything about it - when you start checking out the comments, some of them hold water and many of them do not. Mr. Currier finds it difficult, in his own mind, ^{to determine} whether it has been fact or opinion. Mr. Currier has found complaints to be opinions, rather than fact, in three major cases. Mr. Currier is voting in favor of the re-appointment of Mr. McHugh, and he asked for the BI to work very hard, publicly, to communicate more closely with the BOS. He feels one of the major problems in the Bldg. Dept. is one of communications, both with our communication to the Dept. because it is done publicly, it's attractive to the press to write about it, and it can cause a problem for the BI. On the other hand, Mr. Currier feels that the entire Bldg. Dept. should be communicating with the BOS in a more timely and more detailed manner than in the past. Mr. Currier requested that his comments re: communication, be communicated to the BI.

Mr. Hart stated that if we go back four or five weeks ago, we were discussing County Commsnrs. McLaughlin & Ralph and their continual bickering. At that time Mr. Lovering made an excellent statement to the effect that instead of continually fighting amongst themselves, they should try to work together for the benefit of the people of Middlesex County. Mr. Hart stated that he feels that this is exactly the same type of an issue. As far as Mr. Hart is concerned, Mr. Murphy and Mr. Lovering, have, for the last four or five years, been finding fault with Mr. McHugh. Mr. Hart feels that if there is a major problem, which Mr. Hart does not feel that there is, the hatchet should be buried, so to speak, and all members of this Bd., and Mr. McHugh, should work closely together for the benefit of the community.

Mr. Lovering stated that he subscribes to the philosophy that majority rules, and if Mr. McHugh is voted in as BI, certainly he will have that position in the community and Mr. Lovering will do his best in terms of working with him, hoping that problems can be solved. On the other hand, Mr. Lovering has a responsibility to the people who have elected him - and he is perfectly willing to let them, on this particular issue, be the final judge as to which viewpoint on this matter should be approached.

Mr. Shanahan stated that with regard to his vote, he has indicated that he would not vote for the appointment or re-appointment of any individual unless he felt that the person was capable of doing the job, as per the job description. He shares some of the concerns of Mr. Murphy & Mr. Lovering re: some of the judgements Mr. McHugh has made, but he thinks that the BI, probably moreso than any other official in the community, is called upon to make judgement after judgement. We can all recognize that anyone put in that position is bound to make 'mistakes' or make judgements ^{with} which the Bd. does not always agree. Mr. Shanahan further stated that he feels that overall, Mr. McHugh has fulfilled his obligations, and has done the job.

The final vote on the re-appointment of Peter J. McHugh, Jr., as Building Inspector was as follows: On a motion by Mr. Hart, seconded by Mr. Shanahan, it was voted three in favor, two opposed-Mr. Murphy and Mr. Lovering, to re-appoint Mr. McHugh as BI.

Bonita Towle 5/6/77

Regular Meeting of the Board of Selectmen held May 11, 1977. The regularly scheduled May 10 meeting was cancelled due to the power failure caused by a severe rain and snow storm on May 9. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst. was also present. Mr. Currier called the meeting to order at 7:30 PM. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the mtg. held April 26, as amended. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim June 17-19 as Paul Logan and Us days.

Members
Present

Minutes
Adopted

Proclamations

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim May 9-15 as Municipal Town Clerk's Week.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to cancel the hearings re: Quessy School and Stuart Street Chowder Society, as the Board felt that some of the residents would not be able to attend this hearing which was re-scheduled from May 10, due to the storm and some residents may not have had sufficient time to make provisions to attend the re-scheduled hearing. Also, Mr. Hart added that it may not be legal to hold the hearings as abutters were not notified of the re-scheduled hearings by registered mail.

Hearings re:
Quessy School
& Stuart St.
CS postponed
until 5/23/77

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to cancel the hearing re: Fletcher Street re-location for the same reasons as those mentioned above. The Chairman is prepared to advise the Townspeople on Town Meeting Floor on May 12 that we have a legal ruling from Town Counsel which states that the Public Hearing held in Sept. of 1976 satisfies the legal requirement for the public hearing for Fletcher Street, and therefore, the Board of Selectmen plan to hold an informational hearing in the future re: Flethcer Street re-location. The funds must be encumbered by June 30.

Fletcher St.
relocation
hearing can-
celled

Mr. Currier commented on the heavy damage throughout Town caused by the snow/rain storm on May 9. We still have severe power outages, and more than half of the Town was without power during the course of the storm. Mr. Currier informed the Board that on May 10 at 3:00 PM a State of Emergency was declared by a majority of the Board. Mr. Currier informed the Board that the fire alarm system at the Fire Dept. was damaged and will take 3 weeks until it can be repaired. All reports of a fire, therefore, in Chelmsford will have to be made by telephone, only, until further notice. Mr. Currier asked the Press to report this to the public. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ratify the declaration of the State of Emergency declared on May 10 at 3:00 PM. Mr. Currier stated that the State of Emergency is still on in Town. Rep. Bruce Freeman informed Mr. Currier that if requested, he would file Legislation asking for reimbursement of our expenses during the State of Emergency. Mr. Lovering suggested that we request NMAC to assist us, as they represent Chelmsford and several of the area Towns which were damaged by the storm. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to request NMAC to collect data re: severity of the storm, costs associated with same in the communities, and present a regional claim and plea to State and Federal agencies for some type of compensation and assistance. The communities can identify what actual costs were incurred. Mr. Lovering's motion includes sending this communication by priority corres. to the NMAC - Mr. Lovering will pass his ideas on to NMAC as the Chelmsford representative - we will ask NMAC to consider acting as the focal point in this activity.

Report on dam-
age in Town by
severe snow/
rain storm on
May 9, 1977

The Bd. also prepared a Press Release re: the storm and pick up of brush throughout the Town. The Board agreed to schedule a Work Session with the Tree Warden and Highway Supt. for Tuesday, May 17, at 7:30 PM in the Sel. Mtg. Room to discuss removal of brush in Town and service to homeowners. Mr. Lovering would like to see a curbside pickup in Town utilizing the brush chipper - this may take 2-3 weeks before we can get the chipper, however, he feels this would be beneficial for the residents.

Mr. Murphy suggested that we develop a plan for use of a chipper in similar emergencies in the future in Town - we can learn from our mistakes.

Mr. Currier reported that the Park Commission voted to allow the BOS to place the Toll House on the Town Common on Academy Street facing the Fire Station - the Hist. Dist. Comm. approved of this also. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to send a letter of thanks to the Park Comm. for their cooperation in this matter.

A Police Negotiation Meeting was held last Wednesday at 10AM - we are still in negotiations.

Mr. Murphy reported on a seminar held last Friday sponsored by the MLC&T re: Can You Survive Environmental Programs - he left some info. in the Reading Folder for the Board's info.

Mr. Murphy presented the Bd. and the Press with copies of answers to the questionnaires forwarded by this Office to the seven Senatorial Candidates - we have rec'd. a response from each of the candidates and from two towns thanking us for raising these questions. The Bd. released the comments without comment or responses on them.

The AA reported on Fire Negotiations held today at 3:00 PM - an impasse was declared and the union will file for mediation. The AA will leave a report on the proposals from both sides on Thursday evening.

The AA informed the Bd. that Chief Germann, through the Town Acct., has requested that the Captain be paid his back sick time. The Bd. had advised the Chief some time ago that it wouldn't be allowed as he has a salaried position - and it did not come under the Personnel Board. Both the Chiefs, Dept. Capt. and Captain do come under the Personnel Board - the AA has found by reviewing warrants for the past few years. The AA suggested that the Bd. get a ruling from the Pers. Bd. on this matter. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request an opinion from the Town Counsel re: this matter as well as an opinion from the Personnel Board. According to the Police Dept. records obtained by the AA, Capt. Campbell has 24 unused sick days. Mr. Murphy stated that the last time the Board checked into this matter, they were told that no records were kept in the PD of sick days. The AA has copies of the PD records regarding Capt. Campbell's sick time back to 1969.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to instruct our Labor Relations Advisors to work with the BOS and the Dept. Heads to put into writing what the Board's agree are relationships - part of this may be the employee's writing down what they think they do and we can resolve that matter. Through the years, many misunderstandings have developed which do not protect the Town or the employees. This motion is to include a policy on holidays - Mr. Lovering understands that the Police & Fire Chiefs and the Hghy. Supt. get overtime for holidays, even though they are on salary.

The AA reported that she intends to request the State to either place a new fence at the Rte. 495 Rest Area, or pull the existing fence up further towards the Highway, rather than having it go all the way back to the lot lines.

The Bd. discussed the position of Police Captain - Chief Germann requested that the Bd. request an examination by Civil Service for this position. Mr. Lovering stated that the BOS already agreed by a vote that they would schedule a mtg. with Civil Service in Boston, and all members of the BOS who choose to attend may the mtg. is to determine the options available to the Bd. regarding this position - the AA will set up a mtg. with Civil Service to discuss this position. The Bd. agreed to put the Chief's request on hold until after this mtg.

Board
Reports

Adm. Asst.
Reports

Unfinished
Business

The Bd. discussed Warrant Articles which were passed at the ATM last week & action on same. Articles were as follows: Art. 5 - audit - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to have the audit performed of the Town Depts; Articles 8, 9, and 10 - resolutions - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to file the resolutions with our reps. - we will send copies of same to the Governor, Pres. of the Senate and Speaker of the House-these will be mailed by priority corres. as certified copies; Art. 19 - regulatory signs - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request the PA to obtain bids for same; Art. 20 - Salt Storage Shed - the Board agreed to view the locations (4) and then narrow down the location of the shed, after which time the Bd. can hold a hearing with persons interested in same and make a final decision - the Chairman will choose a Sat. after Town Meeting to view the locations - the Bd. will hold any action on this item until after said viewing; Art. 22 - DPW Study for Town services - the Bd. agreed to advise the DPW Study Comm. that they (BOS) will sign the contracts.

The Chairman advised the Bd. members of the articles they would be responsible for in the Spec. Town Mtg. Warrant - they were as follows: 1-AJL; 2-WRM; 3-PCH; 4-PLC; 5-JBS; 6-WRM; 7 & 8-PLC.

Re: the Board's position on STM art. #7 - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to support the modification of the proposed amendment to art. 7 that provides longevity only to uniformed members of the Police & Fire Depts., thereby excluding mechanics and clerical personnel - and the Bd. recommends the withdrawal of article 8.

Re: Planning Board articles (#'s 50 & 51 re: zoning) the Bd. agreed to give their positions on these articles before the Tn. Mtg. commences on May 12.

Item 2 - Board discussion re: corres. from BOH re: locations for salt shed - the Bd. previously discussed this matter earlier this evening.

Corres.Sum.

Item 11 - corres. from MVHPC requesting designee of BOS to be on Bd. of Trustees - Mr. Lovering stated that he feels that there are many organizations in the area which the Town, through the BOS, should take interest in & many meetings held by these organizations which the BOS should have representation at, either by a Bd. member or a designee of the Bd. The Chairman agreed to come back to the Bd. within 2-4 weeks with his recommendations on a list of organizations on which the Board should be in closer contact with, and he will attempt to develop a recommendation on reporting mechanisms of these mtgs.

A mtg. was held with Francis Trombly re: License to carry passengers on the following streets by Trombly Motor Coach Service, Inc: 1) Rte. 129 from Rte. 3 to Billerica Line; 2) Rte. 110 from Lowell line to I-495; 3) I-495 from Rte. 110 to Rte. 3; Rte. 3 from I-495 to Rte. 110. Mr. Trombly informed the Bd. that he is also requesting to be able to pick up passengers in Chelmsford for a bus run to Boston - he has rec'd. approval to do same in Lowell, and he needs a letter from the BOS to present to the DPU stating that the Bd. would allow him to pick up passengers at the Chelmsford Cinema for the run to Boston. Roger Welch was present and spoke in favor of Mr. Trombly's request. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant Mr. Trombly's request re: carrying passengers over the 4 above-mentioned streets, and to write the requested letter to the DPU stating that the Bd. is in favor of allowing the bus to stop at the Cinema to carry passengers to Boston. If Mr. Trombly would like to add another location to pick up passengers in Town for the Boston run, he will ask for same at a later time. The letter to the DPU should state that the Board is urging the DPU to allow Trombly M.C.S.I. to carry passengers to Boston from Chelmsford as there is a great need for this service. Mr. Trombly will contact the Cinema re: parking at that location & pick-up of passengers.

Mtg. with F.
Trombly re:
carrying pas-
sengers to Bos-
ton from
Chelms.

Item 13 - Bd. discussion on corres. from BOH re: location of resource recovery system for northeast solid waste & mtg. regarding same - Mr. Lovering will represent the Board at this meeting and a rep. of the EAC will also attend.

Item 14 - Board discussion re: corres. from L. Rondeau re: recommendation to fill vacancy caused by resignation of James Reid by replacing him with Albert Constantineau, a former HD employee. Mr. Rondeau also requested temporary replacements for HD employees out on illness who are expected to be out for some time. Some Bd. members questioned the method in which Mr. Constantineau was chosen for employment - were there interviews, etc. of new applicants & applicants whose applications have been on file for some time. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was voted two in favor, three opposed - Mr. Currier, Mr. Shanahan and Mr. Hart, to approve the appointment of Mr. Constantineau contingent upon a representative number of applicants having been interviewed - this motion failed as the majority of the Bd. was opposed to same. After much discussion, on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Albert Constantineau to replace James Reid in the HD, and to allow the Supt. of Streets to hire four temporary employees, who will be terminated when the permanent employees resume working in the HD. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to request the Safety Comm. to address absences in excess of one week & notification procedures of same to Dept. Heads.

Item 24 - Req. for trans. from the Reserve Fund from the BI in the amount of \$100 for Out of Town Expenses. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request the BI to forward more info. on his request - listing the dates and locations, as well as background info. on what the conferences were for, who the sponsor was, and the times of the conferences.

Item 27 - Board discussion re: letter from Wm. Flynn, Sec. Dept. of Com. Affairs re: reorganization of the State's judicial system. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to forward a letter to Sec. Flynn indicating that we share his concern re: the current procedures & workings of the Court system in the Commonwealth, and we endorse some package aimed at court reform, without mentioning HB 4400.

Item 28 - corres. from Robert Flynn re: areawide Housing Opportunity Plan. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a copy of this report by the Town Planner to NMAC. Mr. Lovering stated that he feels that Mr. Flynn's report contains some warnings which should be heeded by the Town regarding area-wide housing - Mr. Lovering feels that the Bd. should put some action into a planning concept to see what we can do in this area to show good faith re: affirmative action, etc. Mr. Lovering will take this as an action himself & see whether or not through NMAC there are some ideas which they can provide back to the community regarding this matter.

Item 32 - corres. from Cons. Comm. re: request to contact Town Counsel re: conflict of interest. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to allow the Cons. Comm. to contact Town Counsel & to request that the person involved on the Comm. and the Chairman of the Cons. Comm. each provide the BOS with a written report on the allegations made in order that the Bd. can further discuss same.

Item 45 - corres. from BOH re: testing of water in Crystal Lake - Mr. Murphy stated that the notice regarding the water in the Lake will probably be provided only if the lake is going to be closed.

Item 46 - corres. from Supt. of Sts. re: painting of lines in Center - On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to hold on action re: this letter pending receipt of info. from Mr. Rondeau which will inform us why we can't do the painting of the lines with our own striping, rather than using the State to perform this task.

Due to a typographical error, Mr. Currier informed the Bd. that on item 47, the AA's recommendation should be accept notification - this is corres. from the Hghy. Supt. re: drainage conditions on Bartlett St; and the recommendation on item 48 - request for permission to close off a portion of Westford Street for a yard sale - recommendation should be vote to approve - On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Murphy, to allow the group to close off a portion of Westford Street and a policeman should be on duty.

Item 53 - Board discussion re: corres. from Robert Flynn concerning design criteria for Central Square project - the Bd. agreed to hold on this item until the Sel. Mtg. scheduled for 5/23, in order that the Bd. can meet with Mr. Flynn to discuss this item.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Currier reported that the Committee which was organized to oversee the development of the Senior Citizen Drop-In Center has made the decision on the architect to perform the necessary work. Mr. Currier explained to the Board the criteria which had to be met and he explained the Committee's reasoning in choosing the firm of Walter B. Jones, Stuart Street, Boston. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the Committee's recommendation on this matter.

New Business

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to instruct the Chelmsford Center Water Dept. to repair or replace a fire hydrant at the corner of High Street and Acton Road which has been damaged for some time. We will request that they repair or replace same immediately.

Mr. Currier informed the Bd. that the Police have been having problems with Town Forest property abutting State Street and Noble Drive - the Bd. agreed to forward a letter to the Town Forest Comm. requesting that they post a set of Rules & Regulations at this location for use of the Town Forest which will hopefully assist the PD in keeping youths out of this area loitering.

Mr. Murphy requested that the AA place the MCAB appointment on the agenda for the next Sel. Mtg.

Mr. Murphy informed the Bd. that he has spoken with the Principal of the High School re: the potential for a Local Government Day which would be similar to the Government Day for the High School Youths. Mr. Murphy feels that this might get the residents more involved in Town Government - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the major boards in Town if they would be interested in this - if we get a positive response, we can send this info. to the High School in approx. one month's time.

Mr. Murphy stated that there is a problem re: Varney Playground - it was agreed to meet at the Varney Playground with the commissioners on May 21 - the AA will schedule the time of same & so inform the Bd. and the VPC, and the Police Dept., and the Rec. Comm.

Mr. Murphy informed the Bd. that corres. in the Reading Folder indicates that the Mass. Wholesalers of Malt Beverages is in favor of the recycling program - Mr. Murphy felt that we should contact the firm re: our own program - Mr. Lovering advised the Bd. that he has already communicated with the firm through

the EAC.

Mr. Murphy stated that the Planning Bd. & Cons. Comm. are addressing a problem with a developer on Maynard Circle re: removal of dirt & filling in - the same developer has supposedly put in a number of lots (foundations) on Crooked Spring Road - there are 7 foundations & only 4 building permits were issued. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Town Counsel what rights, if any, the Community has re: refusing permits to developers who have not lived up to previous commitments to the Community in terms of building. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask the Building Insp. why there are no bldg. permits for the remaining 3 foundations in this area.

The AA advised Mr. Murphy that she is attempting to schedule a mtg. with Rep. LeLacheur to discuss Legislation, etc., at the earliest possible Bd. Mtg.

Rep. Shea was supposed to have forwarded the office with copies of legis. he filed - to date we have not received same - Mr. Murphy requested that we request this info. from him once again.

Mr. Murphy requested that ^{the} AA check with the Chairman Pro-Tem of the Town-Wide Cultural Comm. to determine if a mtg. has been held to date.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to send a second letter to the Pol. Chief re: violation of the statute re: parking in fire lanes in shopping areas, etc., we will request an immediate response.

Mr. Shanahan informed the Bd. that to his knowledge, Mr. Garrow at the Buttonwood Citgo Station has shifted to mechanical work in the bay and he questioned that if this is the case, do the BOS have grounds to re-issue the license to sell petroleum products - the Chairman advised Mr. Shanahan that those licenses are renewed through the Town Clerk's Office - Mr. Shanahan wants to know what steps we could ^{take} not to re-issue a license of this type. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was voted four in favor, one opposed - Mr. Hart, to ask Town Counsel what is necessary with regard to what grounds the Town of Chelmsford has to prove with regards to not re-issuing any license for storage of petroleum products.

Mr. Lovering has been advised that the Chief of Police is advising persons interested in applying for Crossing Guard positions that he will not accept any new applications for consideration due to the fact that he has quite a few on file from the last time the appts. were made. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to request the Police Chief to interview all applicants for these positions, and after the interview process is completed, he should place all of the names into a lottery to choose the appointees - also, we will advise him to continue to accept applications.

Mr. Hart informed the Board that re: Crystal Lake, there is a problem with the area from the canal to the mills which was supposed to have been graded - leaks are still occurring, and the dam still leaks in the two areas which it leaked in some time ago. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to contact Robert Loney of FS&T and advise him of this situation and we should also ask him about the Change of Work Order on the removal of the debris from the Lake, which has not taken place to date - it should be completed as soon as possible. Mr. Lovering feels that we should get some aggressive assistance from our architects, Fay, Spofford & Thorndike, regarding the continuous problems we are having with completion of the Lake.

Mr. Hart informed the Board that Kinnard Fletcher, a member of the company which owns Fletcher's Quarry in Westford approached him and informed Mr. Hart that he would like to meet with the BOS to discuss the possibility of the Town's purchasing some property in close proximity to our landfill - the Bd. agreed to meet with Mr. Fletcher after Town Meeting to discuss this matter further. The AA will contact Mr. Fletcher with this info.

At this point in time, Walter Hedlund, Civil Defense Director in Town, advised the Board of the status of the condition of the Town after the present State of Emergency. Mr. Hedlund thanked the Adm. Asst. and her staff for all of their help during the past few days. He informed the Bd. of the conditions in Town by precincts and the progress made to restore electricity to date. The Board congratulated Mr. Hedlund on a job well done in Town by Civil Defense, as well as other Town Depts.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:45 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita [Signature]

Regular Meeting of the Board of Selectmen held May 23, 1977. Members present were: Mr. Currier; Mr. Murphy and Mr. Shanahan. Mr. Lovering was in Washington on business and was not present, and, Mr. Hart was detained but would join the meeting in progress. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 6:00 PM.

Members
Present

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ratify the proclamation for Tom Larkin Day (Camp Paul) on May 21, 1977.

Proclamations

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim this week as Litter Olympics Week, per request of Evelyn Murphy, Sec. of Environmental Affairs.

Mr. Currier reported on a meeting with the Varney Playground Comm. held on Saturday with the Rec. Comm. & Varney Pl. Comm. & Police Dept. Mr. Currier will provide the AA with a list of action items which resulted from this mtg., which the AA can take action on this week.

Board Reports

The AA informed the Bd. that she received a telephone call from Congressman Tsongas' office re: 18½ foot van which will be coming to each community in the 5th Cong. district 1 day every 6 weeks - it would be stationed at DeMoulas' 11AM - 4PM, and he has rec'd. approval from 23 other towns to allow the parking of the van, etc. Last week the Bd's. understanding was that the vehicle would be a construction trailer type to be at the location for an extended period of time. Mr. Currier was advised by one of the Congressman's staff members that the vehicle is more like a recreational vehicle which would be at the location for a limited amount of hours and if the Bd. wishes, a sign could be placed on it indicating that this is the Tsongas mobile headquarters. Mr. Currier asked that the Bd. reconsider their vote of last week. Mr. Murphy stated that he feels that this matter has been handled poorly, as we have no backup corres. or any corres. stating that DeMoulas has approved this request. Mr. Shanahan moved that the Bd. reconsider their vote of last week regarding this request - Mr. Currier stepped down from the Chair to second this motion, contingent upon approval being given to the Tsongas Staff by the property owner to park the vehicle at the stated location - Vice-Chairman Murphy took the vote on Mr. Shanahan's

AA Reports

motion as follows: two in favor, Mr. Currier & Mr. Shanahan, and one abstention-Mr. Murphy - the vote was two to nothing.

The AA requested a req. for transfer for the Purch. Agent/Town Planner & CETA Coord. in the amount of \$150 to cover their telephone costs - they have minus \$3 in their budget at this time - this was unan. voted on a motion by Mr. Murphy, seconded by Mr. Shanahan.

The AA informed the Bd. that the Lowell CETA office advised her last week that in view of additional funding, they have rec'd. permission from the Dept. of Labor to carry over all CETA Coordinator's in the various Towns for an indefinite period of time, and the AA requested that the Board vote to extend Mr. House's position as CETA Coord. for an indefinite period of time - this was unan. voted on a motion by Mr. Murphy, seconded by Mr. Shanahan.

The AA advised the Bd. that we have been asked by the Lowell CETA Office for an additional list of positions - which Mr. House & Mrs. Haines have prepared in order of priority. Mr. Murphy stated that he wants the HD CETA personnel to be given definite jobs in order that they can show something of their efforts in Town - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the list and forward same to Lowell, with the stipulation that the HD CETA employees have a defined task, i.e. cleaning of all easements in Town, etc.

The AA furnished the Bd. with a report on Chapters 1140 & 825 and she asked the Bd. to concur with the list in order that she may advertise - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve this list and to notify the HD by priority corres. to immediately develop a list of streets to be hot-topped, as there will be a balance left over when the anticipated work is performed under these funds which will be \$33,000 to be used for the hot-topping.

The AA informed the Bd. that she received two checks this past week from the HD employees regarding the Sexton's restitution, which will be forwarded to the Sextons on May 24 - the employees' grievance has been withdrawn.

Mrs. Haines received the Graniteville Road layout on this date from the County. The County feels that the Bd. should hold an informal meeting with the residents in the area to explain to them just what will happen-Mr. Lynch will be glad to explain to the residents what will happen - the County will notify them, and the Bd. would like to have this mtg. held in the early evening, in order that most of the residents may attend - the AA will contact Mr. Lynch.

The AA advised the Bd. that she is meeting with the FinComm on Thursday at 3PM to discuss Town Counsel invoices.

Mr. Hart arrived at the mtg. at 6:25 PM.

Mr. Lovering requested holds on appts. for the Bd. of Appeals (Regular & Alternate); Cons. Comm; & Rec. Comm.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint Walter Dronzek to the Indus. Dev. Fin. Auth.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint J. P. Richardson & Robert LaPorte to the Hist. Dist. Comm.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to re-appoint the following 6 persons as temporary help in the HD per recommendation of Louis Rondeau: Michael Heath; William Hoey; Arthur Rassias; Edward Whitworth Jr; Donald Kinney; Barry Jones. Originally, only 4 replacements were necessary but the Hghy.Supt. informed the AA that two more employees will be retiring in June.

The Bd. agreed to hold on appts. to the MCAB & MVHPC.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Catherine Curran as CETA Clerk in the Bldg. Dept. at \$129.30 per week. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Rita Geoffrey as CETA Clerk in the Wir. Insp. Dept. at \$129.30 per wk. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint William Pestana as CETA Council on Aging Van Driver at \$140 per week. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Pauline Gervais & Marilyn Bowden as CETA Clerks in the Police Dept. at \$129.30 per week.

The Bd. ratified their informal vote on the award of the Police Cruisers taken last week as follows: On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award bid for Nova Police Cruisers to the low bidder, Colonial Chevrolet, in the total amount of \$27,662.25. Mr. Currier stated that we ran into a problem which we run into quite often - bids come in and by the time we reach that article at Town Meeting, the successful bidder generally has trouble delivering the cars because they are out of their model year. It was suggested that in upcoming warrants, these articles should be placed in the beginning of the warrant, or we can hold the vehicles an extra 3 months and get the next model year.

The Supt. of Sts. has asked for a hold on bid award of the HD snowplow - all other bids for Hghy. Equip. the Hghy. Supt. is prepared to recommend for award to the low bidder. Mr. Lovering asked that the bid award for the recycling trucks be held until he returns from Washington. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award bid for 1 dump truck with body to Jim Peirce Ford World in the amount of \$14,590; and 1 dump truck 4-5 yd. gal. body to Jim Peirce Ford World in the amount of \$11,470; and 2 snowplows to Casey & Dupuis in the amount of \$3,590; and 2 sanders to E.J. Bleiler in the amount of \$7,530.

Item 2 - Mr. Currier advised the Bd. that the date of the auction & 1-day license requested by Mr. Maynard for same is June 9, not May 21 - recommendation is 'vote to approve.'

Corres.Sum.

Item 13 - corres. from J. Paul Bienvenu re: problem on Fairbanks Road - at the Bd's. mtg. in North Chelmsford it was agreed to meet with the residents of the vicinity in approx. one month's time, therefore, the Bd. will schedule a mtg. with these residents & Mr. Bienvenu for the next Sel. Mtg. or the mtg. following the next mtg.

Item 11 - Board discussion re: corres. from Cemetery Comm. re: bid award made by the Cemetery Comm. and a problem which resulted from same, as both bids for the asphalt paving were for the same dollar amount. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted three in favor, one abstention-Mr. Shanahan, to advise the Cem. Comm. that the Board of Selectmen have faith in their judgment in this matter - they are the awarding authority, not the BOS, and we do not feel that it is necessary to contact Town Counsel.

Item 32 - Bd. discussion re: corres. from Edward Redstone concerning Central Square traffic pattern. There was some confusion as to whether or not there would be any widening of Billerica Road at the intersection of Chelmsford St.- Mr. Murphy stated that there is a widening on the corner involved.

Item 33 - Board discussion on an application submitted by Charles Vrouhas, 198 Pine Hill Road, for an All Alcoholic Retail Package Goods Store License at the Highway Farm Market, 259 Littleton Road. Mr. Currier stated that some time ago

Corres. Sum.
continued

the Bd. placed a moratorium on Liquor Licenses. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted 3 in favor, one abstention-Mr. Shanahan, to notify Mr. Vrouhas that in the best interests of the community the Board is not accepting additional liquor license applications in Town.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. Murphy asked the AA what the progress was with the chipper going through the Town to remove residents' debris accumulated from the May 9 storm. The AA spoke with the owner of Pelham Sand & Gravel today and informed him of her concern over the fact that only 3 streets in Town have been canvassed & debris removed by his firm, since the operation commenced last Thursday. The firm is claiming that there is more debris on the street now than when they initially started the program. The AA asked the Bd. if they felt it would be beneficial to hire another contractor with other trucks to help complete the job. Mrs. Haines stated that the job is being done efficiently, but the process is slow due to the large amount of brush. Mr. Shanahan suggested that we withhold any payment to the firm until work is completed. The Bd. agreed to instruct the AA to contact our advisors regarding this matter & the firm in question to determine if anything can be done regarding this matter - she can advise the BOS on Tuesday of her findings.

Mr. Currier informed the Bd. that there is a problem at the intersection of School St. & Percheron Road with youths congregating there after dark. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to instruct the Police Chief to meet with owners of the property in question to develop a solution to this problem - Mr. Currier will work with the Police Chief, as he has some ideas on how the problem may be solved.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held May 11, 1977.

Mtg. with R.
Flynn re: de-
sign concept
in Central
Square

The Bd. met with Robert Flynn, Town Planner re: design criteria for Central Square. Mr. Flynn suggested that the Bd. notify Mr. Redstone that they wish the criteria to include a central theme for the signs in the Square, that will be adaptable to the character of the buildings in the Square. Mr. Flynn suggested that the excess clutter in the Square be removed, such as unnecessary signs, or signs which are too large, or lit up improperly. Mr. Flynn met with Mr. Wilkins & Mr. Kydd of the Businessmen's Association - they want to see the parking lot before they make any commitments. Mr. Redstone is in favor of hiring an architect to be paid by the businessmen - the Bd. feels that this is too costly. The Town should give Mr. Redstone some help in the form of guidance in the form of a theme and methods to achieve same. Mr. Murphy stated that he feels that the Board should not put any more work into this matter, as it is Mr. Redstone's proposition to the businessmen - the businessmen should undertake the project as a value to themselves. The Board agreed to instruct the Town Planner to prepare a letter to be forwarded to Mr. Redstone by the Board indicating their feelings.

Mtg. with R.
Charpentier
re: use of
East School
by Boy Scouts

At this point in time the Board recessed until 7:15 PM at which time a mtg. was held with Robert Charpentier, Chairman of the Rec. Comm., and Martin Ames, representing the Boy Scouts of America, who wish to use the East School for office area for the Boy Scouts and storage. The Board previously concurred with the Boy Scouts use of the facility, and at this time they asked Mr. Ames & Mr. Charpentier to prepare a list of changes in order that the Board can approve same. Town Counsel and Mr. Ames have drawn up an agreement with the terms presented to the Bd. at their mtg. with Mr. Charpentier. Mr. Ames will forward the changes to the Bd. for signing on Thursday evening-one change will be the

idea of a trading post to be held at the facility. Mr. Ames will present the changed lease to the BOS for signing this Thursday evening, after consultation with Town Counsel this Tuesday.

A meeting was held with Manual Avila re: Common Victualler License at the Valley Ridge Ice Cream Stand on Graniteville Road. Chairman Currier read a portion of a Court Order from Judge George Ponte which "grants the petitioner's application for a variance, but expressly limiting the variance to permit the petitioner to sell bread, rolls, pastries, hot dogs, hamburgs and sandwiches and expressly prohibit the petitioner from conducting a restaurant or serving meals." (sic) This case involved Mr. Becker, prior owner of the property, and the Board of Appeals. This petition must be re-submitted to the Board of Appeals for a variance; however, the Board agreed to have our Town Counsel review the decree to determine the legality of same, and we will inform Mr. Avila of his findings. Mr. Avila was present and stated that he is operating the business, but the tables and chairs are not in use at the present time.

The AA informed the Bd. that she received a letter on this date informing her that Mr. Prendergast is out of town and will not be able to attend the hearing this evening with the BOS re: Stuart St. Chowder Society. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Prendergast and his Counsel that the Board will conduct a Public Hearing with Mr. Prendergast on June 13, in order that he will receive sufficient notice of the hearing.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Anne Fleming as ^(CETA) Youth Center Outreach Worker on the recommendation of the YCAC at the salary approved at Town Meeting for this position.

The Board recessed until 7:45 PM at which time Sealed Bids were open for Hghy. Dept. materials as follows: a) Bituminous Material - James Walsh & Sons, Inc: \$17.45 pt; Essex Bit. Concrete Corp: \$18.90 pt; Trimount Bit. Products Co: \$.576/gal; Mystic Bit. Prod. Co. Inc: \$.576 per gal; Independent Bit. Co. Inc: \$.576 per gal; Belleville & Sons: \$17.10 pt; Jowalco, Inc: \$14.75 pt - Crushed Stone - Pomerleau Bros. Inc: \$3.40 pt; George Brox Inc: \$5.15 pt; Tacey Trans. Corp: \$4.35 pt; Nar-done Sand & Gravel Co: \$2.10 pt - d) pipe for drainage purposes: \$5.71; Hume Pipe Corp: \$1.65; Penn Culvert: \$1.40; Donel Supply Co., Inc: \$3.37; Pacella Pipe: \$1.68; Armco Steel Corp: \$3.77 - e) Catch Basin Frames, Covers, and Blocks: Mechanics Iron Foundry Co: \$90.20; C.M. White Iron Works: \$99.50; E.L. LeBaron Foundry Co: \$107.00 - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take all of these bids under advisement and refer same to the PA for his review for recommendation of these awards.

A mtg. was held with Alan Burke re: his application for a Class II Auto Dealer's License at One Oak Street. A plan was previously presented to the Board showing his intentions concerning this business. There was no one present in favor or opposed to this license. Mr. Burke explained his reasons for requesting the license. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant Alan Burke a Class II Auto Dealer's License at One Oak Street with the restriction of 10 vehicles on the premises.

At this time the Board recessed until 8:15 PM at which time they met with the Chelmsford Players to discuss use of the Quessy School by that group. Kevin Shanahan and Mr. & Mrs. Richard Meaney spoke to the Board regarding this request and informed the Board that they would like to conduct their meetings there, hold rehearsals there, and hold classes there perhaps 3 evenings per week from 7-10PM, and hold a few workshops per year there to make arrangements to hold classes and formulate programs. The Board made it quite clear that the Town could offer no financial assistance to the Players if they use this building - they would have to apply for funding from other sources. The classes would be open to adults as well as children and the classes would hold 15-20 persons per class.

Mtg. with M. Avila re: Common Vict. Lic. on Graniteville Rd. at Valley Ridge Ice Cream Stand

Hearing re: Stuart St. Chowder Soc. postponed

Appt. of YCOW

Bid Openings: Highway Materials

Mtg. with A. Burke re: Class II Auto Dealer's license at 1 Oak St.

Mtg. with Chelmsford Players re: use of Quessy School

Mtg. with
Players re:
Quassy School
continued

The classes for children would most likely be held on Sat. afternoons, and parking would be at the rear of the building. Mr. ^{Kevin} Shanahan asked what the costs are yearly for maintenance. The School Dept. provided this office with a figure of \$2,000 for utilities per year. The AA will provide the Players with a copy of the breakdown of these costs. The insurance the Players have now only covers their performances, they would need other ins. for the bldg. If they cannot meet the util. & maint. costs then they would have to give up the bldg. Mr. Currier informed the group that the Town plows its buildings only when they have finished the remainder of the Town. Doris & John Conway, neighbors of the bldg. stated that they would like to see some organization making use of the bldg. to prohibit more vandalism. Carol Marcotte also agreed with this, but she did not want to see any drinking on the premises. John Breen asked that the Pol. Dept. be requested to police the area more frequently. The Players have installed a battery operated fire alarm. Mr. Currier would like to see in the lease, should one be developed, hours of operation, consumption of liquor regulations, parking, etc, as well as sub-letting the bldg. to other groups, which the BOS would have to be advised of. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to have Mr. Murphy develop a list of conditions which the Bd. could vote on in the next week - if the conditions are agreed to, the Board could forward a copy to the Players and to Mr. Conway (representing neighborhood), then the Bd. can have Town Counsel develop a lease agreement for one year's time. If the ^{neighbors} do not hear from Mr. Conway within 10 days time, they should contact him. Mr. Shanahan requested that Mr. Murphy consider the possibility of other non-profit organizations using the bldg. who will be charged for same.

Mtg. with Mem-
orial Day Com-
re: 1977
Parade

At 8:45 PM a mtg. with Timothy O'Connor & Harry Silveria was held re: 1977 Memorial Day Parade. The Bd. was given a status report on same. The power must be turned on and someone from the School Dept. will be requested to operate the sound system. The Parade commences at 9:30 AM at the Purity Parking Lot.

Public Hear-
ing re: Re-
location/
Reconstruction
of Fletcher
Street

At 9:00 PM a Public Hearing was held on the Fletcher Street Relocation/Reconstruction. Abutters were notified by Cert. Mail and several were present. Mr. Bienvenu, Consultant for the HD, explained the changes and the plan which will be paid for by Chapter 1140 funds. Monsignor Manning was present; Stephen Wall; and Atty. Vernon Fletcher representing concerns of Raymond Greenwood. Mr. Bienvenu stated that these funds must be committed prior to July 1, 1977, and he explained the revisions in the roadway & sidewalk construction (5 ft. on the southerly side of Fletcher St.) from the bank to Mr. Wall's appliance store. The corners will be rounded for better access & egress. Slope granite curbing will be put on both sides of the street and a good portion of the existing st. will be torn up & re-graded so that the water will run properly. Mons. Manning has agreed to allow construction of islands along the parking lot - the trees will be retained. Mr. Bienvenu has contacted everyone except Dr. Currie - the BOS rec'd. word from him a while ago that he would be willing to give the land if he could get additional land adjacent to his office bldg. in exchange - unfortunately, the Town cannot give him that land, as they do not own it. Evergreen Associates have agreed to give us a forty foot right of way along the former Emerson Property, in the event that the Emerson Property is used for municipal purposes. Mr. Bienvenu spoke with C.J. Harvey & P.A. Harvey last week and he rec'd. no response for or against the changes. James Harrington was also present and is prepared to go ahead with the land taking process when advised. Mr. Currier asked if there were any questions or comments from abutters or their reps. Atty. Vernon Fletcher represented the interests of Mr. Greenwood, an abutter on the northern side of the road. Mr. Fletcher stated that it is their contention that this street was never accepted as part of the layout of 1894, and the Town never took the land by eminent domain, they feel. It is Mr. Greenwood's contention that the Town cannot touch his property unless he gives his permission - Mr. Fletcher does not think that the Town owns any part of the land.

Atty. Harrington has not looked into this aspect, he was under the impression that the street was properly laid out in 1394. Atty. Fletcher stated that the acceptance of a street at Town Meeting does not give it to the Town, there are other procedures which have to be followed by the Town - after the Town accepts a st. they have to make a taking of the street - the taking has to be recorded at the Registry of Deeds, unless of course, the land was deeded to the Town prior to the acceptance of the street - in this instance, the article adopted in 1394 says that the road was graded and the land given - there is no deed on record which says that the land was ever given to the Town, and there is no taking of the land by the Town on record - the Town never made an entry, other than the portion being used today - a 40 foot ^{street} was never constructed, and the Town never went upon the land except where the road is now situated. Atty. Fletcher agreed that the Town Meeting did vote to accept the street in 1394, but that is not adequate to give the Town the property. Mr. Bienvenu stated that he feels that the legal requirements can be met either by recording in the Reg. of Deeds, or by recording in Town Clerk's Office-which was done. Atty. Fletcher contends that Mr. Bienvenu's plan intrudes on the Church property, Mr. Greenwood's property, as well as DeMoulas trust, Phoenix & Sturtevant. Atty. Fletcher stated that an easement or eminent domain taking must be recorded in the Reg. of Deeds to be effective against the people who claim the land is theirs. Mr. Bienvenu stated the he intends to take Mr. Greenwood's wall and remove it and replace it on the street. Atty. Fletcher will recommend to Mr. Greenwood that he cooperate with the Town if the legal requirements are met - the Board of Selectmen must take a vote on the acceptance, and it must be filed in the Reg. of Deeds. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to instruct Town Counsel to have for the BOS's next meeting all the necessary paper work, motions, and timetable to accomplish this, as time is of the essence. Town Counsel should get the releases the first part of the week, and he will meet with the BOS at their May 31 meeting to discuss same.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:30 PM.

For the Board of Selectmen, by

Bruce T. K.

Regular Meeting of the Board of Selectmen held May 31, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mr. Currier, Chairman, called the meeting to order at 7:30 PM. Mrs. Haines, AA, was also present.

The Board, at 7:00 PM, met with Moe Daigle and his associate re: progress with chipper in Town. Also present were Myles Hogan, Tree Warden and Louis Rondeau, Highway Supt., and David Ramsay, Spec. Projects Asst.-Engineer. Mr. Daigle's firm has only covered 10% of the Town - he previously agreed to cover the entire Town in ten (10) days - in many instances, Mr. Daigle said that residents are putting out their Spring cleaning, rather than just the brush from the storm, and this has hampered his progress. Mr. Hart moved that the Board dismiss the firm currently performing the chipping operation in Town, and utilize the Hghy. Dept. to clean away the brush - Mr. Murphy seconded this motion - the vote was four opposed, one in favor-Mr. Hart - motion failed. Mr. Murphy then moved to employ the Hghy. Dept. to clear away the brush with the log loader-without use of the chipper - no vote was taken on this motion, which Mr. Lovering seconded. Mr. Shanahan then moved that the Board reconsider Mr. Hart's previous motion - motion to reconsider was seconded by Mr. Murphy and unan. voted by the Board. On a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to instruct the Highway Dept. employees to commence the clean-up of brush in Town by utilizing every available truck to clear away the brush - there are 7 dump trucks and several other vehicles can be used to clear away the brush. Mr. Shanahan suggested that the Bd. inform the public that the Sel. underestimated the period of time necessary for the clean-up, and every effort will be made to clear away the debris as soon as possible. Mr. Hart further suggested that the crews work

Meeting
Adjourned

Members
Present

7PM Mtg. with
chipping firm

continuously and have trucks coming in with the brush consecutively, in order that no time will be wasted. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to send a priority letter to the Legislature requesting permission to continue burning until after June 5.

Minutes Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the minutes of the Sel. Mtg. held May 23.

Discussion re storm contin- ued

Mr. Hogan asked the Board how they wanted the brush in the trees to be removed-should Mr. Hogan hire a person to remove same-and Mr. Hogan doesn't have any funds to hire someone to perform this task. Mr. Hogan anticipates costs from \$10,000 - \$14,000 to remove the brush in the trees-\$12,000 is his estimate to remove overhead limbs which are still hanging. The Board, on a motion by Mr. Lovering, seconded by Mr. Shanahan, unan. voted to agree in conjunction with the Tree Warden, to go before the Townspeople & the FinComm for funds for this work, spending up to \$14,000 to solve the overhead problems with brush & go to the FinComm with the idea of calling a STM to get the appropriation. The Bd. agreed to suggest to NMAC the Legislation we would like filed, as they are studying what monies might be available - we will await their report; however, we will request that they report to us prior to our meeting on June 13 with any info. they have to date. The Bd. agreed to have the AA contact the contractor who performed the chipping (Pelham Sand & Gravel) to determine some means of an acceptable solution to the problem re: payment to Pelham Sand & Gravel for work performed.

Rep. LeLacheur did not at- tend scheduled

Rep. LeLacheur was scheduled to meet with the BOS at 8PM to discuss Legislation, however, he did not appear at the meeting.

mtg. Fairbanks Rd. Mtg. postponed

Mr. Currier informed the Bd. that the 8:15 PM mtg. scheduled with residents of Fairbanks Road has been postponed until June 13, as one of the residents could not attend & requested that the mtg. be postponed.

Quessy School Rules & Regs.

Mr. Murphy provided each Bd. member with a copy of his proposed rules & regs. for the Bd's. approval for use of the Quessy School by the Chelmsford Players, the Rules & Regs. were basically the same as those for the Girl Scouts use of the Grange Hall. The parking at the Quessy School will be at the rear, & front entrance is to be used. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the Rules & Regs. and forward copies to Kevin Shanahan of the Chelmsford Players and Mr. Conway, rep. of the neighborhood, for their approval within two weeks of receipt of same & ask that they respond to us as to their acceptance/non-acceptance of the R & R.

Board Reports

Mr. Murphy reported that the continuation of Final & Binding Arbitration passed in the Senate, and the Gov. has stated that he would veto same if it comes before him - Mr. Murphy handed out copies of the vote - Rep. Freeman voted against the continuation - Reps. LeLacheur & Shea voted for the continuation. We can discuss same with Rep. LeLacheur when we meet with him, as we have previously discussed same with Reps. Shea & Freeman. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to, by priority corres., ask the 3 candidates from the 5th Mid. District their position - will they support ^{sustaining} the Governor's veto of the present bill on continuation of F & B Arbitration-we will request their response prior to our June 13 meeting.

AA Reports

On Saturday, June 18, the Board or its designee will perambulate the Chelmsford/Town Line; meet with Kinnard Fletcher of Westford re: land for landfill; and view the proposed sites for the salt storage shed. The Bd. will meet at 9:00 AM at the Town Hall and the AA will set up the times for the mtgs. and advise the BOS of same.

The Bd. agreed to have the HD verify the bounds for the setting of the Chelmsford/Westford Town Line prior to June 18.

AA Reports
continued

The AA will forward a letter of interest to the Penn Central Trans. Co. re: property presently under lease to the Town-railroad bed which runs from the Center to Lowell.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to have the Supt. of Sts. interview CETA laborers to be utilized in the brush removal program - the AA could get the recommendations for Thursday evening & the Bd. could approve same at their next mtg. The AA informed the Board that Jerry House will attend the June 13 mtg. to explain the new program to the Bd.

The Chair will have a written report on the Crystal Lake mtg. for the Board's review this Thursday.

Mr. Murphy moved the re-appointment of Marshall Arkin to the Board of Appeals - the Bd. unan. voted to re-appoint him to a 3-year term. Mr. Murphy moved the re-appoint. for 1 yr. terms as Alternates on the BOA for Joseph Dappal & Daniel Burke - the Bd. unan. voted to re-appoint these two gentlemen as Alternates on the Bd. of Appeals. Mr. Murphy moved the appointment of Florence Kelley, 103 Gorham Street, as Alternate to the Board of Appeals to fill the vacancy caused by the resignation of Marguerite Waldron - the Board unan. voted to appoint Miss Kelley to a one-year term.

Unfinished
pt. Business

Mr. Murphy moved the re-appointment of John McCormack to the Cons. Comm. for a 3-year term - the Bd. unan. voted to re-appoint him. Mr. Murphy moved the appointment of Frank Siraco to fill the unexpired term caused by the resignation of Mr. Howe - Mr. Hart moved the appt. of John Chiungos to fill the vacancy - vote was as follows: Mr. Murphy-Mr. Siraco; Mr. Shanahan-Mr. Chiungos; Mr. Lovering-Mr. Siraco; Mr. Hart-Mr. Chiungos; Mr. Currier-Mr. Siraco. Mr. Siraco was apptd. by majority vote to fill Mr. Howe's unexpired term.

Mr. Murphy moved the appt. of Bernard Battles as UN Day Chairman, recommended by Dr. Rivard - he was unan. appointed.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to appoint the following CETA applicants to the following positions: Town Planner-Kenneth Carney, 88 Swain Rd.-\$169.30 weekly; Purchasing Agent-Philip Gilinson, III, 8 Fuller Rd.-\$169.30 weekly; Maint. Man Fire Dept: Jack Heffernan, 176 Main St.-\$151.20 weekly; Council on Aging Clerk-Gertrude Healy, 80 Boston Rd.-\$129.30 weekly; Maint. Man Housing Authority-William Lawler, 13 Gay St.-\$151.20 weekly. The Bd. agreed to hold on the Spec. Proj. Asst. and Cons. Asst.

Mr. Hart provided each Bd. member with a copy of a report re: Police & Fire Mechanic. The Bd. agreed to hold until 6/13/77 to obtain additional reference checks on some of the applicants.

Mechanic

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to go out for engineering specs & advertise for bids for sidewalk construction as voted in the 1977 Spec. Town Meeting.

Re: ATM article re: evaluation of Police Dept., the Chair and interested Bd. members can set up an evaluation process, etc. The Bd. agreed to request a list of firms who might perform these services from the Police Chief, as well as the Mass. Police Institute, and Northeastern School of Criminology, etc., in order that we can solicit to approx. 8-10 firms for their proposals.

Re: the article to abolish the Sinking Fund, the Board agreed to meet with the Ins. Sinking Fund to discuss a time-table with them on abolishing the fund.

Warrant Article Action

Warrant
Article Ac-
tion
continued

Re: article 57 - Street Acceptance - the Bd. agreed to obtain all of the necessary info. from all parties concerned regarding the condition of the streets.

Re: article for Town Forest/Cons. Comm., the Bd. will take care of this matter under regular appointments.

Re: articles for purchase of land, each party will have to obtain two appraisals each of the land-the AA will advise the parties concerned of this, then when the Bd. receives the appraisals, they can take further action on same.

Mtg. with
Town Counsel
re:Fletcher
St. reloca-
tion

At 8:30 PM the Bd. met with Town Counsel James Harrington to discuss progress re: Fletcher Street relocation. Atty. Harrington advised the Bd. that he is working on the easements, and the only party which may not be willing to sign an easement is Claude Harvey, Sr., unless he is compensated. He stated that in his opinion the layout of Fletcher St. is valid, although he cannot locate any plans or records whereby the Town actually took the property by eminent domain; however, the way was laid out in 1894 and was recorded with the Town Clerk's Office as required and it is in the original book of streets of 1894, as it is laid out here. Mr. Harrington feels that with the exception of Exxon Corp., the easements can be obtained within two weeks, Mr. Harrington will discuss the Exxon property with Mr. Ekstrom. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to go out to bid for the relocation of Fletcher Street according to the plan provided by Mr. Bienvenu.

Mtg.with Mr.
& Mrs. Jos.
O'Connell
re:Chelms/
Westford
Town Line

A mtg. was held at 8:45 PM with Mr. & Mrs. Joseph O'Connell re: location of their home in relation to the Chelmsford/Westford Town Line. The O'Connells had provided each Bd. member with the background information regarding their problem. Half of their home is in Chelmsford, and the other half is in Westford. The O'Connells were of the opinion that their home was in Chelmsford. Mr. Murphy stated that there have been many problems with the accuracy of the line, due to the positioning of roadstones, etc. Janet Lombard, a member of the Chelms. Bd. of Assessors was present, and stated that the Chelms. & Westford Bd. of Assessors would try to cooperate to solve this problem. Mr. Lovering stated that he feels that the Board should try to solve the problem on a short-term and long-term basis, which may include Town Mtg. action and/or filing of Legislation - all of the people involved in this matter will be contacted-Lot 23 appears to be the only home which is having this problem. If necessary, we can have our engineer and the county put a new description together, and file necessary legislation-this was voted unan. by the Bd. on a motion by Mr. Lovering, seconded by Mr. Hart. The engineer will have to establish a benchmark, and make a recommendation to the Board as to the number of lots we should be concerned with within one month's time. We will keep the O'Connells informed of any progress regarding this matter.

Mtg.with V.
Fletcher re:
Vrouhas re-
quest for
hearing on
application
for package
goods store

A mtg. was held with Vernon Fletcher, Counsel for Charles Vrouhas re: application for Package Store License. Mr. Shanahan abstained from this portion of the mtg., as he previously informed the Bd. that he would abstain from any discussion which involves liquor licenses, as a member of his family is involved in this business. Mr. Fletcher stated that his sole purpose in requesting this meeting was to ask the Board why they are not accepting applications for liquor license hearings. Mr. Currier informed Mr. Fletcher that it was a matter of record that the Bd. voted to not accept any new applications for liquor licenses in the best interest of the residents. Mr. Lovering stated that he has no problem accepting the application, and conduct a hearing, then make a decision based on the hearing, however, in the past four years the Bd. has acted on a majority vote re: liquor licenses. Mr. Murphy stated that the Bd's. first moratorium was of a moral nature, in order that all interested persons in Town could apply to have hearings held-the second moratorium was also of a moral nature, and no one

questioned the Board's moratorium. Mr. Fletcher stated that he does not feel that the Bd. should solicit applications from other interested parties. Mr. Currier informed Mr. Fletcher that the Bd. has polled the ABCC informally, and we were advised that our moratorium was legal & in effect - the Bd. will correspond with the ABCC and request a written response from them regarding the moratorium - if the ABCC says that we must hear the application, we will hear it - if on the other hand they say that we do not have to hear the application, our 1976 moratorium on liquor licenses will hold. We will get back to Mr. Fletcher with our findings.

At this point in time, the Board recessed for five minutes.

Item 13 - corres. from the BOH re: trailers at the Chelms. Trailer Park - the Bd. further voted to forward a copy of same to the BI for his review.

Corres. Sum.

Item 3 - corres. from Mrs. Warren Buchanan re: permission to block off Amble Rd - the AA advised Mr. Murphy that it is up to the landowner to request the HD to put out the sawhorses.

Item 4 - corres. from HRAC which the BOS allegedly did not respond to - the Bd. will advise the HRAC that we never rec'd this corres., and the matter is to be placed on the Bd's agenda for June 13.

Item 6 - corres. from SCVIA to Police Chief re: closing off of Pond St. - Mr. Lovering will attempt to have a report for the Bd. after he meets with the proper parties.

Item 9 - Board discussion on corres. from Fred Reslow re: purchase of town property - Old West Fire Station - the AA will prepare a list of all town property of which persons have expressed an interest in purchasing.

Item 27 - corres. from L. Rondeau re: why HD cannot paint lines on street with our stripers. ^{he was not aware} Mr. Murphy stated that two or three years ago when we were offered 100% State funding that there was any limitation in terms of what kind of equipment one could purchase for this, and Storch Engineering told us that they were preparing specs for Palmer, Mass., which would provide this type of material for them. The Bd., on a motion by Mr. Murphy, seconded by Mr. Shanahan, unan. voted to request a further explanation from the Purch. Agent and Hghy. Supt. as to why we have purchased a piece of equipment with ^{one} alleged limited municipal application - we will also ask the Hghy. Supt. if any is trained to operate this machine.

Item 29 - corres. from MCAB Budget Chairman to Members of the Middlesex County Advisory Board re: MCAB Budget Committee recommendations - Mr. Murphy commented that a complete copy of this budget should be given to the press, as the full extent of same cannot be written in the summary - the Bd. agreed to give a complete copy to the press. Mr. Murphy commented that part of the report indicates that the Personnel Director of Mid. County provide an accurate list of persons who are presently not shown as being budgeted in their proper depts. - the MCAB reiterates its policy of FY '77 that the practice is in violation of the law in the spirit of line budget and the Comm. on Counties ^{positions} authorized the transfers to the proper depts. with no increase in the total # of - so they have yet to put people in the proper dept. They also repeat our request of last year that the Pers. Dir. provide the Mid. County Adv. Bd. with the County's employment procedures, personnel policy, affirmative action plan as well as an org. chart that of the county, dept. by dept., which has not occurred yet. They also find a failure

to include in the budget all known and anticipated county expenses primarily the cost of living pay raises-the pay raises agreed to in col. bargaining for FY 77 & 78 which result in an artificially deflated budget, and they feel that it is inappropriate to present a budget with those figures. Re: indigent defender program, the MCAB is disappointed that this program has grown without budget authorization into one of twenty-two attorneys and only twelve were originally budgeted with the unpaid bills for private attorneys now on hand it appears that the FY '77 expenditures will exceed 1976 and this system will not save money. There is also a request that a number of positions not be provided in the County Commissioner's Office - a technical advisor to the budget director-\$11,000; public information officer-\$13,600; and an exec. director of tourism and development at \$16,500. There was also a comment that considering the fiscal situation, the unemployment rate in the county - wholesale reclassification of jr. clerks to sr. clerks is not warranted. The recommendation from the MCAB is to not fund tourism and development as other organizations provide these services-there has been negligible impact from this organization. These are examples that should be pulled out of this report to substantiate our vote to support Mr. Healy, as budget chairman, and to perhaps to communicate to the Gov. and Comm. on Counties our concern of the budget.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. LeLacheur will be invited to attend the Sel. Mtg. scheduled for June 13 to discuss Legislation.

Mr. Hart requested that the AA schedule a mtg. as soon as possible with a rep. of DeMatteo Constr. Co., Fay, Spofford & Thorndike, and our Town Counsel to discuss the entire Crystal Lake matter-perhaps this could be scheduled for the next mtg.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to adjourn. The meeting adjourned at 10:00 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors
Drawn

On May 23 Sel. Currier drew the following jurors for Cambridge for July 5: Deborah Marcaurette, 3 Maple Road; Andrew Sheehan, 221B Pine Hill Road; Mary A. Hurlburt, 93 Richardson Road.

Jurors
Drawn

Jurors drawn by Selectmen Currier on June 6 for Cambridge were as follows: Walter Chase, 10 Lancaster Ave; Louis Remick, 219 Westford St. & Susan McCarthy, 5 Mission Road.

Members
Present 7PM
Mtg. June 13re: Town Hall
employees unionization

At 7:00 PM on June 13 the Board, prior to their regular meeting, met with a rep. of Murphy, Lamere & Murphy, our Labor Relations Firm, to discuss the petition of the clerical employees of the Town for unionization. Kathy Hussy was the rep. of ML&M - the Bd. of Sel. have the authority to bargain for the employees union-should one be formed. The Bd. would bargain with the local unit only. The Bd. requested that Ms. Hussy get a copy of the cards which the employees interested in joining the union filled out for the Bd's. review. The Bd. requested that Atty. Hussy remind Atty. Crowe that the Bd. previously requested that the Bd. wishes to establish a personal agreement or contract with all of the Dept. heads, and to date, we have not rec'd. any info. on same.

At 7:15 PM the Board, on June 13, met with reps. of the Police Dept. to sign the Police Dept. Contract. Chief Germann was present, as was Mark D'Guanno of the Union, Mark Burlamachi & Russell Linstad, Police Officers. Through a typographical error, the last para. on Page 18 (B) had the wrong date and, as typed, read as follows: "The first para. with the deletion of the make-up on Line 7 through the end of guard which shall be in effect for the Fiscal Year July 1, 1977 through June 30, 1978." It should read: "The first para...shall be in effect for the Fiscal Year beginning July 1, 1978." All Board members and the Chief of Police initialled this change on all copies of the contracts. A photograph was taken of the signing of same.

7:15 PM Mtg.
June 13 -
signing of
Police Dept.
contract

The Board signed a proclamation for Camp Paul Day, presented by Walter Flynn.

Proclamation

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held May 31, 1977.

Minutes
Adopted

Mr. Currier informed the Board that there was only one bid rec'd. for the reconstruction of Fletcher Street-after discussions with the Purchasing Agent, the Bd. agreed to open the single bid.

At 7:40 PM Mr. Currier opened the Regular Meeting scheduled for June 13, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, AA was also present. Mr. Currier, Chairman called the meeting to order at 7:40 PM.

Members
Present

Sealed Bids were opened and read aloud as follows at 7:45 PM: Drainage Projects: a) Coolidge St; B) High St; c) Janet Road; d) North Rd. at Linwood; e) Swain Rd-Loenco Inc: \$10,105; Tornare Const. Co: \$17,700; Chelmsford Excavating Co., Inc: \$7,442.85 - Dunstable Rd. drainage: McGovern Constr. Co: \$9,636(approx); Chelmsford Excavating Co., Inc: \$5,705 - Reconstruction of Fletcher Street: McGovern Constr. Co: \$69,397.25 - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take all of the bids under advisement and refer same to the PA for his recommendation for bid award. At this point in time, Mr. Currier introduced Philip Gilinson, III, new CETA Purchasing Agent, to the Bd. members, and welcomed him on behalf of the Board.

Bid Openings-
Drainage
Projects

Mr. Currier furnished Bd. members with a joint report from Sel. Lovering, Sel. Murphy and himself re: mtg. on June 3 with Mr. Cox from Civil Service re: Captain's Position in the Police Department. The AA was also present at the mtg. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to petition Civil Service and ask for their approval of a change in the title of the position from Captain to Deputy Chief. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Murphy, to request Civil Service to hold an examination to fill the position of Deputy Chief-exam. should be written by Civil Service, as well as an oral examination by the BOS or their designee, as well as a psychological examination by a competent psychologist chosen by the BOS, as well as a physical examination by a competent physician to be paid for by the Town, requested through Civil Service - this is to be an open, competitive examination. Mr. Murphy suggested that the Board await the results of the findings of the firm who will perform the police dept. study, before we go ahead with the above, that is why he did not support the motion.

Board Reports

At this point in time, Mr. Currier suspended any further discussion on the above, and he opened the 8:00 PM scheduled hearing re: Stuart St. Chowder Society. At this point in time, Mr. Shanahan excused himself from the mtg., in accordance with his point of privilege taken at mtg. 4/26/77 re: liquor licenses. The Attys. for SSCS had no objections to the Bd. continuing the above discussion re: PD Capt. Mr. Currier then recessed this hearing until further discussion on the above

Stuart St.
Chowder Soc.
hearing open-
ed

could be finished. Mr. Shanahan returned to the mtg. for the vote taken below.
voted 3 in favor-two opposed-Sel. Murphy & Sel. Lovering

Board Reports
continued

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was ☒ to take appropriate steps to interview and select a candidate for provisional appointment as Deputy Chief in the Police Dept. from those persons now holding the rank of Sergeant within the Chelmsford Police Dept. Mr. Shanahan left the mtg. at this point in time, as Mr. Currier re-opened the hearing re: Stuart Street Chowder Society.

Stuart St.
Chowder So-
ciety Wine &
Malt Bev. Lic.
hearing -
license
rescinded

Atty. Howard Wayne and Mr. Anthony Dedusus were present representing Stuart Street Chowder Society. Stuart St. Chowder Society has not exercised the liq. license granted to them by the BOS on August 23, 1976 to date, as they were allegedly renovating the premises. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four to 0 to rescind the present Common Victualler Wine and Malt Beverages license at the Stuart Street Chowder Society, Inc., located at 29 Chelmsford Street, which was previously voted by the BOS on Aug. 23, 1976.

Mtg. with J.
House re:
CETA Program

A mtg. was held with Jerry House, CETA Coord. to discuss the status of the CETA Program. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to approve the position of Recycling Coordinator (under the CETA Program)- who will be responsible for the coordination of the recycling program in the Town, due to get under way by October of 1977. The Bd. requested that in the future, if Mr. House has info. he wishes the Bd. to act on at a mtg., Mr. House should leave same in the Sel. Office on the Friday prior to the mtg., in order that the Bd. may have sufficient time to review such corres. Mr. House proceeded to give the Bd. a lengthy status report of the program, which he documented and provided each Bd. member with a copy to review at this time. Mr. House informed the Bd. that he is having trouble getting people to apply to the program - the Bd. will request the radio stations to announce that applications are available for employment under the CETA Program. In accordance with Mr. Lovering's previous motion re: Recy. Coord., the Bd. agreed that some small sum of money will be necessary to get the program underway-the Bd. approved the expenditure of a small amount of funds to aid the program. Mr. House stated that with the additional \$304,000 from the Fed. Gov., we must hire between 90-100 additional CETA employees before Sept. 30, under all three titles. A Spec. Proj. to be considered could be a clean up campaign all over town with the HD and some type of vandalism campaign in conjunction with the PD Community Relations person. Mr. House stated that if we do not use the \$304,000 to hire persons under the CETA Program, Chelmsford could lose the funds to Lowell, or persons who do not live in Chelmsford could be placed under the CETA Program for employment in Chelmsford. Mr. Shanahan stated that previously, Mr. House stated that he was having trouble getting persons to fill out applications, and he asked him how he intends to fill 90 to 100 more positions if he does not have enough interested applicants. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Lovering, to advise Congressman Tsongas, in writing, that we are not happy with the pre-occupation of the Federal Government in throwing money away (Mr. Murphy stated that the BOS have tried to save money at Town Mtg., and he does not see how the Fed. Gov. can justify their attempts to spend more money - he further stated that it is time for the Communities to come forward with the attitude that if there is no meaningful work, the Fed. Gov. should take their money back-the urgency ought to be in trying to find meaningful employment - not in spending money). The Bd. agreed to instruct Mr. House to develop some proposed projects, in writing, asap. for the Bd's review. Mr. Murphy requested that Mr. House check out whether or not NYC youths should be working at DARE, as it is a security installation, and this may not be a good idea. Mr. House stated that the positions are for 1 clerk and 1 maint. employee, and last year two youths were employed at the DARE facility.

A mtg. was held with residents of Fairbanks Road re: drainage problem in that area. Many of the residents were present, as was J. Paul Bienvenu, Consultant for the HD. Mr. Bienvenu furnished the Bd. with an estimate to correct the on-going problem in a letter dated May 12 for a dollar figure of \$15,000. The brook could be swailed, or nothing can be done and the problem will continue. Mr. Rubenstein stated that he rec'd. an estimate for \$2,500 to \$7,000 to repair a portion of the problem. Mr. Bienvenu explained that his plan is in much greater detail than the one proposed by Mr. Rubenstein. Mr. Herb Knutson, who was interested in 21 Fairbanks Road, furnished the Bd. with copies of a plan which he formulated to alleviate the existing conditions. One resident asked the Bd. how she would go about granting the easement to the Town. Selectman Currier informed her that any resident interested in granting the Town an easement should telephone the AA with his/her name & address. Sel. Currier further stated that we can either solve the problem with an easement, or the problem will have to continue. Mr. Rubenstein stated that he feels that the Cons. Comm. will not go along with the swail - the Bd. advised him that in the past, the Cons. Comm. has approved swails in Town. Mr. Bienvenu presented the residents with copies of a plan which indicated how much of their land would have to be taken for the easements. Mr. Shanahan stated that the Town has no legal requirement to solve the problem; however, he would like to solve it on behalf of the residents.

Mtg. with
Fairbanks Rd.
residents
re: drainage
problem

The Bd. recessed at 9:25 PM for five minutes.

A mtg. was held with a rep. of Fay, Spofford & Thorndike-Robert Loney; Town Counsel James Harrington and the CH of the CLRC Edmund Polubinski to discuss the status of Crystal Lake. Mr. Gustenhoven of DeMatteo Constr. Co. telephoned the office on this date and advised that he could not attend this meeting, nor could any rep. of his firm. Item 53 of the Corres. Sum. is a letter from FS&T re: problems with Change Order #4. Mr. Loney stated that he feels that the leakage problem with the dam is one which DeMatteo could remedy by mid-summer. Atty. Harrington stated that there is a liquidated damages clause under the contract, and the contract was extended until a certain date in Nov., and the work was not completed until Dec. 8. Under the contract the town is entitled to a fine of \$200 per day for work not completed. Atty. Harrington stated that if the liq. dam. clause were to be found to be a penalty clause, we would have some trouble collecting the fine. Mr. Loney stated that in his opinion, it would be approx. \$1,000 to put resin in the holes in the Lake to stop the leaking. Mr. Loney suggested that the Bd. extend the contract date to expedite the rest of the work, based on what Atty. Harrington has said. As this discussion was regarding strategy with regards to litigation, and may have a detrimental effect on the litigation position of the governmental body if held in an open meeting, the Board, on a motion by Mr. Murphy, seconded by Mr. Hart, unan. voted to go into Executive Session to discuss this problem further at 9:55 PM. Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye.

Mtg. with FS&T
Town Counsel &
CLRC re: sta-
tus of work at
Crystal Lake

Adjourn to
Exec. Session

The Bd. reconvened to the Open Meeting at 10:16 PM.

Reconvene to
Open Mtg.

Mr. Currier provided Bd. members with copies of his report on the mtg. at Crystal Lake with the Varney Playground Comm; Rec. Comm; and Bd. members held a few weeks ago. Some of the items have been completed, some will not be undertaken unless the Lake is declared fit for swimming, and some other items will continue to be done all summer. The Bd. reviewed the report item by item. It was agreed to forward a priority letter to Harry Ayotte asking him to immediately forward the Bd. with a complete schedule of all games on the field, and to also forward a copy to the Police Dept; it was also agreed to forward a priority letter to the Supt. of Sts. asking him to post the water area with appropriate

Board Reports

Board Reports
continued

warning signs-including a sign in the water to warn of pollution- the AA can work on the wording of these signs with Chairman Currier & the Hghy.Supt. The Bd. agreed to forward a copy of this report to the Varney Playground Comm; Rec.Comm; Board of Health; Hghy. Dept; and Police Dept. for appropriate action by each board or committee or dept.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a letter of thanks to Rep. Bruce Freeman for his vote on the Police & Fire final & binding arbitration bill, as he supported the municipal position.

Mr. Murphy represented the Bd. at the dedication of the bridge on Golden Cove Road for James Alden Doughty, PFC. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to forward Mrs. Doughty a letter to commemerate the dedication of the bridge to her son.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to direct corres. from the MLC&T re: audit, to the Treasurer and Supt. of Schools to determine how the audit will be handled re: setting the tax rate, in order that we may forward their into to the Bd. of Assessors.

The Bd. agreed to forward info. rec'd. from the MLC&T to the Assessors re: potential additional local aid funds, as it will impact the community regarding setting of the tax rate.

Mr. Lovering reported on the status of the recycling program. He stated that the Recy. Coord. will be of great assistance in implementing the program. The months of June & July will be used to put all of the ideas regarding the program together for the homeowner, and also to discuss the educational program. All of the public service groups and organizations in Town will be asked to designate a liason from within their membership who hopefully will work with the EAC & Mr. Lovering regarding the recycling program. In August, a mtg. will be held with the designees and they will pass along the results of the mtg. to their organizations. In Sept. the group will publicly announce the program through the use of educational materials, involving a small amount of funds for the printing of the literature. The target date for completion of the above is October.

Bid Award:
Recycling
Trucks

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to award the bid for two truck chassis and cab to mount 16 cubic yard, non-packing, bucket type loader bodies to Jim Peirce's Ford World in the amount of \$24,414.00. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to award the bid for two non-packing bucket type loader bodies, 16 cubic yard capacity to Truck Equipment, Boston, Inc., in the amount of \$26,000.00.

Board Reports
continued

Mr. Lovering reported that at the request of residents in the Old Stage area, he met with neighbors in that area re: problems with motorcycles. Based upon their concern, Mr. Lovering met with the Police Chief at the Chief's Office to discuss this with the Chief and the neighbors. One of the concerns of the Police Chief, which he relayed to the neighbors was that the BOS had cut the motorbike out of his budget, and that was one of the reasons for the problems in Old Stage. Mr. Lovering asked that to remedy this situation, the Board authorize the Chief to purchase a motorbike for approx. \$1200 - as of May 31 he had a balance of \$4,000 left in his budget, and the bike could be purchased from his account, if the Town Acct. says that this is legal, or we can request a trans. in the upcoming Spec. Tn. Mtg. to purchase same. Mr. Murphy stated that he was not aware that the policemen were no longer canvassing the Town on their own bikes, and he stated that the Chief should have communicated this to the Bd. when the change was made. If the Chief had requested this in his budget recommendations, the Bd. would have considered this-he did not state that he needed a bike at that time.

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to, if it is an authorized expense, suggest that the Chief purchase a motorbike under this year's budget, and if not, we will put an article in the STM Warrant for same, if the Chief feels that this purchase is warranted.

Board Reports
continued

It has been brought to Mr. Lovering's attention that the Mass. Electric Company has, in the past 2½ months, been spraying defoliant to keep the growth down under the power lines in Town, which could be hazardous to pregnant women, from an environmental standpoint. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask MEC in writing, what their policy is on giving the community advance notice of this type of spraying - Mr. William Busby, MEC's arborist, has confirmed that they did spray this defoliant. We will also ask them what their policy is re: cutting - Mr. Fabiani used to call the neighborhood and advise the residents that MEC would be in the area, in the past.

The AA advised the Bd. that today she received a request for a 1-day all alcoholic license for a Monte Carlo night for Paul Logan sponsored by St. Mary's Church - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve this 1-day license for June 18.

AA Reports

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve mileage for the Purch. Agent Philip Gilinson and for the Town Planner Kenneth Carney in the amount of \$30 per month.

Mr. Currier informed the Bd. that we rec'd a letter from the Rec. Comm. confirming a mtg. with them on June 18 - the Bd. did not recall scheduling that mtg., and agreed to advise Mr. Carpentier that we do not feel that this mtg. is necessary at this time. Perhaps in the future at some point time the Bd. will meet with them again to discuss the Crystal Lake matter, and opening of the beach.

Rep. Edward LeLacheur was not present for his 9:00 PM meeting with the Board of Selectmen to discuss Legislation, once again. Since December of 1976 the BOS have attempted to meet with Rep. LeLacheur. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted 4 in favor, 1 opposed - Mr. Lovering to instruct the AA to telephone Rep. LeLacheur on June 14 and ask him to meet with us at his earliest convenience - he can set the date of the mtg.

Rep. LeLacheur
not present
for his
9PM mtg. with
BOS

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Mary Poirier and Colleen Murphy as clerks under the CETA Program in the School Dept., at a salary of \$132 per week.

Unfin. Bus.
CETA appts.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Marjorie Beal as Lib. Asst. in the School Dept. at a salary of \$138.40 per week under the CETA Program.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint the following as Laborers under the CETA Program in the Hghy. Dept:

Martin Gauvin, John Morrill, Randall Blazonis and Michael Stallard at a salary of \$164 per week.

Mr. Hart moved the appointment of Jack Smith, 17 Muriel Road, Chelmsford, as Mechanic in the Fire and Police Departments - Mr. Shanahan seconded the appointment - Mr. Smith was unan. appointed as Mechanic for the Fire & Police Depts. at a salary of \$12,500 per annum.

Mechanic for
Fire & Pol.
Depts. appd.

Re: 1977 Annual Appointments, the Bd. agreed to hold on appts. & re-appts. of the following committees: Crystal Lake Rest. Comm; Central Square Committee; Civil Defense Comm. - ask Chris Alexion if he still wishes to remain on this Comm. although he is no longer our Purch. Agent; 4th of July Parade Comm. - check to determine if the BOS accepts notification of these appts., or if they actually appt. the Comm; Local Growth Policy Comm. - see if Robert Flynn is still interested

1977 Annual
Appointments

in serving as Selectmen's designee on this comm., as he is no longer our Town Planner;
Recreation Comm-request a record of attendance before the Bd. makes any further appts. to Rec.Comm. The Bd. disbanded the Dog Kennel Bldg. Comm. and the Flood Prevention Study Comm. Mr. Murphy moved the following appointments & re-appointments: Council on Aging-Gula Boyce, Christina Ahern, Louise Bishop, Clarence Dane, Sara Dunigan, H.Chadbourn Ward, Lillian Gould, Mary McAuliffe, Edna Nelson, Kathleen Robinson, William Marson; Historical Commission-J.Perry Richardson, John Alden, Richard Lahue, George Parkhurst, Bertha Trubey, Mary Guaraldi, Jane Drury; On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to re-appt. Richard Lahue, Jr., as at a salary of \$100 per year
Clock Winder; Mr. Murphy moved the following appts. & re-appts: CATV Comm-F.D. Cavallari, Robert McAdam, Susan Schleigh; Chris Tournas, Harold Witt, Richard Arcand, J.Alan Moyer, John Carson, Robert Brooks, Stan Norkunas; DPW Study Comm-Gerald Silver, George Auchy, Barbara Langworthy, Joan Schenk, Richard Russell, Henry McClean, Sel.Liason Philip Currier, Robert Monroe, Sr; Emerson Prop. Dev. Comm-Frank Siraco, Janet Lombard, Ralph House, Claude Harvey, Richard Lahue, Evelyn M. Haines, Chief Robert Germann, Chief Frederick Reid, Peter J.McHugh, Jr;East Chelmsford Fire Station Bldg. Comm-Walter Hedlund, Chief Frederick Reid; Edward Quinn, George Dixon, Edward Hoyt; EAC-Ina Greenblatt, Donald Caless, Dr. Ethel Kamien, Diane Lewis, Gene Roberts, Mary Wadman, Gerald Locker; Council for Children-Alice Gossett; FinComm/BOS Communication Sub-Comm-William Murphy, Richard Sullivan; Fence Viewers-Atty. Reginald Furness, Richard Harper; Comm. to Update Town History-Charlotte DeWolf, Charles Watt,Sr., Julia Fogg, Frederick Burne; HRAC-Denis Valdinocci, Richard Burtt, Carol Stark,Jean-Paul J. Gravell, James Freider, Ronald McMaster, Charles Spear; Ins. Adv.Comm-Roger Welch, Henrick Johnson, Peter Dow, Walter Hedlund; Weighers of Merchandise: Southwell Combing Company-George Fournier, Ted Magiera, Paul Westwood, Charles Hacking, Lillian Cabana, Tom Long - Gilet Wool Scouring Corp- Lee Gendron, Francis Sakalinski, Joseph Bobola, Alex Coluchi, Marcel Marion, Alejandrino Quiles; Town Celeb.Comm-Walter Hedlund, Raymond Day, James Gifford; Vet. Emergency Fund Comm-Dr. Albert Willis, Victor Fetro, James Walker, John McNulty, George Waite, Alfred Coburn, Thomas Ennis, Kenneth Cooke, Peter Saulis, Melvin deJager, Herbert Knutson, Gerard Vayo. The Bd. accepted the resignation of Richard Lahue from the Town Celebrations Comm. Mr.Lovering moved the appt. of Daniel Burke as NMAC Alternate-Mr. Burke was appointed by a vote of 3 to 2-Mr.Shanahan and Mr. Hart were opposed. Under Rec.Comm. appts, Mr. Lovering commented that the Varney Playground Comm. should remain an independent body from the Rec.Comm., in his opinion. Mr.Shanahan suggested that Martin Ames represent the BOS as our designee on the MVHPC-we will check to see if he will be on the Board of Directors, or just our rep.,depending on the time factor involved in offering the name of a resident of Chelmsford for consideration of appointment-we will request Mr. Ames to contact the MVHPC to determine what the status would be and get back to the board with his findings, and then the Bd. can make the appointment of Mr. Ames.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the Job Descriptions for Secretary Full-Time and Secretary Part-Time for the Selectmen's Department.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to establish the date of June 28 or June 30 for a Special Town Meeting-articles will be to raise & approp. funds for the brush removal from the May 9 storm & to adopt the Police Contract-it will be held in the McCarthy JHS Auditorium and no other articles will be accepted for inclusion in the warrant other than the ones which the Bd. has agreed upon as of this date.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to suspend the mtg. rules and continue the mtg. past 11:00 PM.

The Bd. reviewed the map which indicates how many streets have been removed of brush in Town on a day to day basis. The job is progressing slowly, but progress is definitely being made. On a motion by Mr. Murphy, seconded by Mr. Shanahan,

it was unan. voted to request the Supt. of Sts. to pick up brush on the major streets in Town first, rather than the minor arteries in Town. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to request a two-week extension of burning in Town.

Corres. Sum.

Item 5 - corres. from Chief Germann re: problem on School St. & Percheron Rd. with youths - a mtg. has been set up for June 21 with Chief Germann & Sel. Currier to discuss this matter.

Item 8 - Mr. Murphy has indicated that he will remain as the Sel. Rep. on the Mass. Mun. Assoc. Joint Legis. Office (liason).

Item 9 - corres. from Rep. Shea which contained copies of legis. he filed this past year - Mr. Murphy passed out copies of the numbers & titles of the bills for the Board's review.

Item 11 - corres. from Town Forest Comm. member re: signs indicating rules & regs. for use of forests - the HD will prepare the necessary amount of signs, they will not be cardboard, but the usual metal sign material.

Item 16 - corres. from Charles Mistretta re: unexpended funds under Chapt. 1140 - we have already finished some projects under this Chapter - perhaps the paper work has not been completed to date at the State level, as we have filed the necessary forms.

Item 21 - recommendation should be "accept letter," corres. from B. Trubey, clerk of the Hist. Comm. re: Middlesex Canal Commission.

Item 30 - corres. from Atty. Howard Wayne re: trans. of Wine & Malt Beverages Common Vict. License from Stuart St. Chowder Society, Inc. to Papa Gino's of America, Inc. - the Board voted earlier this evening to rescind the license to Stuart St. Chowder Society, Inc.

Item 34 - corres. from Bldg. Insp. re: transfer for out of town expenses - the Bd. agreed to hold on this item until Mr. Murphy can verify some questions he has regarding the conferences, etc.

Item 36 - corres. from Bldg. Insp. re: grandfather clause re: outdoor advertising signs - On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to get verification from the State as to the applicability of grandfather clause to this particular permitting for outdoor advertising signs.

Item 42 - corres. from Clement McCarthy re: Clock Barn - recommendation changed to "Board discussion" - On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to request Town Counsel McCarthy to take appropriate action immediately, as the address of Mr. Carpenter's business has changed to 134 Boston Road and he is operating the business at the present time - an ad was placed in the local newspaper regarding same.

Item 43 - corres. from Atty. James Geary re: request to BOS to establish special regulation on use of motor vehicles on Scientia Drive - On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to have the AA determine from Mr. Geary the intent of his request in further detail.

Item 44 - add to recommendation - send another letter to David Merrill requesting that he inform the Bd. of his disposition re: matter of conflict of interest on Cons. Comm. matter.

Item 49 - request for trans. from Evelyn M. Haines, Adm. Asst. in the amount of \$900 to be trans. to Public Bldgs. Dept. Expenses-Fuel, Light & Water - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to hold on this approval, but we will advise the FinComm that we will be needing a trans. in the near future.

Item 55 - corres. from T. McLaughlin, Dept. of Environmental Qual. Eng. re: septage facility at Swain Road landfill - the AA has already forwarded the BOH a priority letter regarding this problem and asked for an immediate response from the BOH.

Item 58 - corres. from Paul Bienvenu re: O'Connell's property on Chelmsford/Westford Town Line - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Mr. Bienvenu for his recommendations regarding the moving of the roadstones to set a new point for the Town Line on Old Westford Rd. which will trace the line to what it used to be.

Item 59 - Board discussion re: corres. from Paul Bartell regarding his recommendations for traffic situation in Central Square - On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to thank Mr. Bartell for his suggestions and advise him that we will consider them in finalizing our problem.

On a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to advise the Chelms. Bus. Assoc. that the Board of Selectmen are prepared to move on the Central Sq. project, and we would like their input on same, as they have previously verbally stated that they would offer their feelings on this matter.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the mtg. by reference.

New Business Re: Boy Scouts take over of the East School, we have not received the contract agreement to date, as the Boy Scouts must apply for a variance first from the Bd. of Appeals.

Mr. Murphy reported that we received responses from Michael Caira and this evening we rec'd. the response from Carol Amick re: their stand on final & binding arbitration bill - we have not heard from Dr. Parker Weaver. Mr. Caira & Ms. Amick both stated that they would not support the Gov's veto of final & binding arbitration bill. The Bd. released copies of their responses to the press for release, as well as to the other Sel. of the district.

Mr. Lovering made the following comments regarding Chief of Police Robert Germann and Mr. Lovering's concern with the Chief's lack of performance: "I think that starting with the incident some months ago when he failed to report to this Board or to any higher authority, the theft of guns; another incident at Town Meeting when he proceeded to go before the Townspeople and request additional budget monies in violation of his agreement with this Bd. of Sel., an act which I consider insubordination; the fact that with regard to the Police Study Contract which we all discussed and supported unanimously-he indicated to us that he would support that-he now advises me that he never made that statement - Sel. Currier & Sel. Murphy remember the communication the way I do, namely, that he would support it - I think this is an intentional failure on his part to live up to a promise he made to this Board, and I think that at this point, I have an obligation to communicate with the voters of this community my concern and my displeasure with regard to his performance as Chief. I believe he should step down as Police Chief in the Town of Chelmsford. As this Board is aware, last Fall in a private Work Session with the Chief, I was the only member of this Board who criticized his performance. At another Work Session with the Chief in the past few months, I requested that he consider stepping down as Chief--he failed to do so, and as far as I'm concerned, my obligation to the citizens of Chelmsford at this point has to be made. If there is any other Selectmen who share my concerns regarding this situation, I would appreciate them letting me know, so that I will prepare a motion to ask Town Counsel to advise us regarding what options are available in terms of removal. No further comment."

Mr. Lovering asked the AA how long the Bldg. Insp. will be out of work. Sel. Currier advised him that the BI has been working $\frac{1}{2}$ a day every day all week.

New Business
continued

Mr. Lovering stated that several months ago we requested an opinion re: water flow problem on Stonehill Drive in North Chelms., and we have not rec'd. a response from the Hghy. Dept. yet - we will request a status report on same (conduit under road was blocked up with tires, etc., and the st. had collapsed and we requested a long term solution to the problem).

Mr. Hart informed the Bd. that Graniteville Road is being used well in excess of the speed indicated on the signs. The Bd. agreed to request the Police Dept. to survey the area with the radar car - the same situation exists on Pine Hill Road - the Bd. will also ask the radar car to survey that area for persons speeding, especially at dusk.

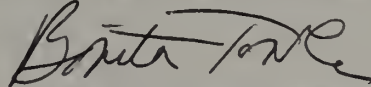
Mr. Hart requested that the Board forward a certificate of appreciation to Capt. Thayer of the Fire Dept. who is retiring in the near future - the Chairman can present same to the Captain at his retirement function.

It has been brought to the Board's attention that many residents are piling their brush from the May 9 storm in the street, which is hazardous to drivers - we will ask that police officers, during their tour of duty, notify the homeowners to move same back to their lot lines to prevent an accident from occurring.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 12 Midnight.

Meeting
Adjourned

For the Board of Selectmen, by



Regular Meeting of the Board of Selectmen held June 27, 1977. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mr. Currier, Chairman, was out of Town on business, therefore, Mr. Murphy, Vice-Chairman, chaired the meeting. Mrs. Haines, AA, was also present. Mr. Murphy called the meeting to order at 7:30 PM.

Members
Present

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to proclaim the week of June 27 to July 4 as Access Awareness Week - the proclamation was prepared by the Chelmsford Jaycee-ettes.

Proclamation

Mr. Murphy informed the Bd. that Congressman Tsongas' mobile van will be in the surrounding Towns on various dates - he provided the press with a copy of Congressman Tsongas' release. The grand opening will be this Saturday in Chelms.

Board Reports

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Selectmen's Meeting held June 13, as amended, and the minutes of the Exec. Ses. held June 13.

Minutes
Adopted

Mr. Murphy stated that on June 18 the Bd. met to accomplish several items - perambulation of the Chelms./Westford Town Line - the Westford BOS could not be present, so this was postponed; viewing of the 4 sites for the landfill - which was accomplished; meeting with Kinnard Fletcher re: land for landfill - Mr. Fletcher was not there, and this mtg. will be re-scheduled.

Board Reports
continued

Mr. Murphy reported that re: final & binding arbitration, the Governor's veto on same was overridden by 26-10 in the Senate and 150-59 in the House. The next recourse by municipal organizations will be to file an initiative petition to bring the question before voters in time for the 1978 election. A polling firm has been hired, questionnaire research will be done to achieve public opinion

during the months of July & August.

Board
Reports
continued

Mr. Shanahan reported that Mrs. Haines, Louis Rondeau, Kathy Hessey from ML&M, and he attended a mtg. in Boston for HD Contract mediation; however, there was a mix up and the HD Union felt that they were being requested to attend the mtg. for their grievance re: Good Friday. Another mtg. will be scheduled.

Mr. Lovering reported on a mtg. held with members of the EAC re: recycling. He reiterated his comments of 6/13 regarding implementation of the program. It is hoped that approx. 40 organizations in town will have liasons with the EAC to explain the program to their members.

Bid Opening:
Fire Truck
Repairs

One Bid for Fire Truck Repairs was received. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to open the bid, as the Purch.Agent informed the Bd. that three bids were solicited. Bid was opened and read aloud as follows at 7:45 PM: Middleboro Fire Apparatus, Inc: \$22,960 for repairs to fire engine - with a cert. check in the amount of \$1,148 enclosed. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to turn the bid over to the PA for his recommendation for award.

Mtg. with
Town Counsel
re: Crystal
Lake & dis-
cussion re:
corres.

The Bd. received a letter from Town Counsel this evening re: mtg. with Mr. DeMatteo and Mr. Harrington re: restoration of Crystal Lake and Change Order #4. It was agreed that DeMatteo Constr. Co. shall be responsible together with FS&T for the repairs to the existing dam to correct the leakage problem, under the guarantee clause of the contract-it was agreed that all parties were aware of their responsibility in this matter-it was agreed that DeMatteo would accept Change Order #4 and would agree to complete the work within 30 days from authorization by the BOS, in return for the Board's promise to extend the completion date of the contract. It was clearly agreed that the completion date would only be extended if the work in Change Order #4 was completed within the time limit of 30 days. The Bd. will discuss this later after they meet with Town Counsel at 8PM. The Aux. Police will not be able to patrol the Lake - Mr. Murphy suggested that a mtg. be scheduled with the Varney Playground Comm. & RecComm. in the near future to discuss items regarding patrol, parking, and signing around the Lake, etc.

Adm. Asst.
Reports

The AA informed the Bd. that she and the Town Acct. met with Louis Rondeau last week re: amount of funds still left in his accounts as a result of brush removal. The Bd. approved Mrs. Haines' request that the Town Acct. be asked to hold over those funds until Mr. Rondeau gets back from his vacation, in order that the money can be expended in the HD budget - some projects will have to be formulated for same.

Mrs. Haines advised the Bd. that the Cons. Comm. is trying to interview for Cons. Asst.-CETA; Spec. Proj. Asst. for this Office will be interviewed-the applicants who have applied to date are not qualified.

The Bd. reviewed the current progress map re: brush removal - it will take at least 3 more weeks until the entire Town is covered-we are utilizing 8 trucks plus 2 front end loaders-all workers are staying at the job site, with the exception of leaving for lunch.

Mr. Murphy stated that we can use the remainder of the Ch.1140 funds for hot-topping and on Ch.825 there is a possibility of \$2,000 for hot-topping available. Mrs. Haines suggested that perhaps the funds from Ch.825 should be used for Fairbanks Road-3 abutters have agreed to sign easements. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to (conditional upon sufficient number of easements being obtained^{per} Mr. Bienvenu's engineering plan) authorize use of \$1,868 to be used for Fairbanks Road; and if the sufficient amount of easements have not been rec'd. by June 30, the funds will be used by Louis Rondeau for hot-topping.

A mtg. was held with Mr. & Mrs. Edward Dryden, 34 Proctor Road, Bldg. Insp. Peter McHugh, Town Counsel James Harrington and Sgt. Leslie Adams of the Chelms. PD re: zoning and noise problems at 26 & 28 Proctor Road by John Hallberg & Sons. The meeting was requested by the Drydens, as they have dealt with this problem for twelve years. Mrs. Dryden explained in great detail events which led up to this meeting referencing problems with trucks, compressors and noise in this area from 1963 to the present time. The Bld. Insp. has informed the Drydens of violations existing at the location in question, however, the operation continues. Mrs. Dryden has telephoned the Police Dept. and BI on numerous occasions since 1963, but to no avail. At there present time there are 29 pieces of machinery on the Hallberg premises. At times she has noticed employees relieving themselves on the premises. The Dryden's property has been devalued approx. \$7,000 since the Hallberg operation commenced, due to the trash and debris and noise surrounding their home from the Hallberg operation. Mr. Raymond Kroll, 43 Proctor Road, was also present and backed up the statements made by Mr. & Mrs. Dryden. He stated that the Hallberg operation is a nuisance and creates a hazard on the roadway. Town Counsel stated that an appeal was filed in 1975 (April) - in Oct. of 1976 an amendment was added to the complaint, as many more violations were discovered. At the hearing in 1976 (Nov.) Judge Brogna denied the Town's request for a preliminary injunction to have the Hallbergs Cease & Desist all activity at the premises until the case was heard. Town Counsel feels that the 1938 by-laws were violated - July 7, 1977 is the date on which the amended complaint will be heard at the Middlesex Superior Court House. Mrs. Dryden stated that the name on Hallberg's trucks has changed from John D. Hallberg & Sons, Electrical Contractors to John D. Hallberg & Sons, Petroleum Equipment Specialists. At the July 7 hearing Atty. Harrington will request that the Judge set a date for trial, if the Judge approves the amendment. Re: noise problem, the Bld. Insp, Town Counsel & the Drydens will meet to try to develop some action regarding the problem with noise from the compressor. Also, we will ask the Bld. Insp. to try to obtain a recording instrument (recorder) to record the noise in this area for one month. Sgt. Adams told the Drydens that if they have any further problems they should call him at the PD, personally, if he is not there, they should leave their number and he will get back to them. Many times Mr. Hallberg picks up the reports on the scanner and stops working at the premises before the PD arrives at the scene on Sundays. Mr. Lovering asked if there was anyone in the room representing the interests of the Hallbergs. No one was present. We will corres. with the Dryden's when we receive some input from Town Counsel & the Bld. Insp, in writing.

Mtg. with Mr. & Mrs. Edward Dryden re: Proctor Rd.

Atty. Harrington explained further the letter he furnished to the Bd. this evening re: his mtg. with Mr. DeMatteo re: Crystal Lake. Atty. Harrington stated that if DeMatteo does not meet our requests, the matter will have to be taken to Court and litigation will have to be instituted. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to sign the Change Order #4 - Mr. Shanahan stated that he believes, because of the numerous defaults by DeMatteo, that this Town should be instituting litigation so that we won't have any further delays. Mr. Shanahan stated that he does not trust DeMatteo, and he does not feel that he is complying with the existing contract.

Mtg. with Tn. Counsel re: Crystal Lake continued

Town Counsel will prepare an answer re: continuing work on Maynard Circle by Cormier within the next two weeks.

Town Counsel added that there was some damage to the fence at the Lake and DeMatteo Const. Co. put in a claim with their ins. co., and will forward the check which will go back to DeMatteo.

A mtg. was held with the HRAC re: attendance at Town Meetings and other related matters. Members present were: Denis Valdinocci, Carol Stark, Jean-Paul Gravel, James Frieder, Ronald McMaster, Charles Spear & Richard Burtt. The Bd. discussed which this office never received in the past, which the HRAC had forwarded

Mtg. with HRAC

Mtg. with
HRAC re:
Town Mtg.
attendance
& survey

some time ago. Mr. Valdinocci informed the Bd. that the HRAC had come up with the idea of situating two banners in town, one in the Center and one in the North, indicating the dates & times of Town Meeting, in order that the residents may be more aware of same - the banners cost \$800 per set of two banners - the Board endorsed this concept-the banners will have to conform to the zoning by-laws, and the Fire Chief will have to be advised of when and where the banners will be set up. The HRAC will try to get contributions from charitable organizations in Town to donate funds for the banners. The BOS endorsed the concept of the banners. Also, the HRAC proposed the idea of researching and doing the footwork behind the articles - giving their position on the articles as the BOS and FinComm have to do - the HRAC felt that this would help the FinComm. The Comm. also felt that it would be a good idea to get the opinion of the Board, Committee or Commission effected by the article by forwarding the bd, committee or comsn. a letter in advance advising them of the article and asking for their opinion of same. The BOS agreed to poll the FinComm to determine their disposition on this matter - the Sel. have a positive attitude toward this concept, and we would request the FinComm's disposition on this matter - if favorable, this could be explored for the next Town Meeting. Mr. Murphy suggested that perhaps we should provide the townspeople at Town Mtg. with written info. regarding the articles, in order to cut down on discussion at Town Meeting - also, a short para. could be included in the FinComm Recommendations booklet explaining positions on the articles, etc. The HRAC would like to explore, through a survey, why there is not more interest in Town Meeting-this should start in late summer or early fall - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to endorse this type of survey by the HRAC with existing funds, or no funds being expended to implement the survey.

Robert Raab, CH of the Planning Board was not able to attend his scheduled mtg. with the Bd., as he was out of Town on business.

Mtg. with
Lowell Spts-
mens' Club
re: sewerage
at Swain
Pond

Dave McLain and Jim Lorrie of the Lowell Sportsmens' Club were present and advised the Bd. that they had requested this mtg. with the BOS due to problems caused by sewage disposal on the grounds of the Sportsmens' Club on Swain Road, on the Lowell/Chelmsford Line. An engineer/chemist tested the water in the Pond, which members of the Club use to swim in, as well as residents, and it was determined that there is a great degree of pure sewage in the Pond, which is being dumped by Alpine Sewerage--the Club has lost \$400 worth of fish due to the pollution in the Pond. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to authorize the CETA employee who works out of the landfill to begin an immediate investigation of use of the landfill-who uses it-where is the fill coming from-who has the keys-or whatever techniques are used by other communities to protect and insure that the landfill is not being used by unauthorized persons - the locks may have to be changed at the landfill so that only authorized individuals have possession of the keys. The Board authorized the AA to contact the Board of Health regarding the above situation and she will provide the BOS with info. on same at the STM this Thursday evening-we will ask the BOH if they can resolve this problem within the bounds of the area in question. Mr. McLain asked if the Lowell Sportsmens' Club would have to absorb all of the costs (loss of fish, etc) associated with this problem-Mr. Murphy advised him that if they should request reimbursement, we would have to go to Town Counsel for his advice. The Bd. agreed that Paul Bienvenu may have to survey the area-part of it has already been surveyed by the LSC - we will need an estimated cost to alleviate the problem from Mr. Bienvenu. Mr. Lorrie left photos and a letter with the AA for her files regarding this problem.

Mtg. with Tn.
Celeb. Comm.
re: 4th of
July Parade

A mtg. was held with Walter Hedlund, CH of the Town Celeb. Comm. and many members of the TCC and the Colonial Minutemen and Fourth of July Parade Comm. The schedule of events was reviewed with the Bd. The Parade Marshall is Oliver Reeves and the Queen of the Parade is Carolyn Marcil, Miss Massachusetts. The parade will be July 4.

At 10PM the Bd. recessed for five minutes.

As Chairman Currier was not present, the Board agreed to hold on all Committee Appointments until July 11, 1977.

Under Unfin. Bus., the Bd. discussed the Bid Award for the drainage projects - bids were opened at mtg. June 13 - item 59 of this evening's corres. sum. was the opinion from Town Counsel stating that in his opinion, it was legal to award the bid to the low bidder, although he did not provide the requested certified check with his bid - Town Counsel felt that the failure of a bidder to accompany his bid with a bid security in the specified form is a formality that may be waived by the BOS if deemed in the best interest of the Town. The low bidder had enclosed a check which was not certified. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to waive the formality with regard to certified check and accept the low bid by Chelmsford Excavating in the amount of \$41,111.70. The Board agreed to allow George Kelly of Loenco, Inc. to speak regarding this bid & award of same. Mr. Kelly stated that on projects of \$10,000 or more, the State Law indicates that a bid must be accompanied by a certified check-he further stated that our specs stated that 'any bid not accompanied by a bid security as prescribed by these instructions or which otherwise does not conform with the general laws and amendments thereto...or which contains any addition (there was an addition not called for attached to this bid)not called for, shall be invalid and the awarding authority shall reject every such bid.' Mr. Kelly stated that where there are State funds involved, the State law governs. Mr. Kelly stated that the low bidder did not submit all contract documents in tact, as the bid stated that all contract documents should be submitted in tact; also, Mr. Kelly stated that his firm did not have to submit a clerk's certificate containing a vote of the corp's. Bd. of Directors, because his bonding company has issued Mr. Kelly a bond in his own name as he is able to sign the bond to protect the bonding company-none of the other bidders complied with this stipulation in the contract. Mr. Shanahan stated that the letter from Mr. Kelly's counsel, Atty. Howe, only deals with one violation-that of the cert. check. Mr. Kelly stated that as of the time that Mr. Howe's letter was drawn up, both Mr. Kelly and his counsel have been able to research the matter in greater detail. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to authorize the AA to discuss the issues raised by Mr. Kelly with Town Counsel so that Town Counsel may insure that there is no validity to the allegations re: expenditures of funds-we will request the answer within the next few days.

Re: Dunstable Road Drainage System-on a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to award the bid for drainage systems on Dunstable Road to the low bidder, Chelmsford Excavating in the amount of \$5,705.

Re: Fletcher Street & rejection of bid re: drainage - there was only one bid, which is considerably larger (dollar figure) than the estimate by Paul Bienvenu-the Purch. Agent suggested that we re-bid this item-on June 30 at 2:00 PM the AA and Purch. Agent will open the new bids. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to ratify the rejection of the single bid for Fletcher Street, and the Bd. approved the re-bidding to take place on June 30 at 2PM.

Re: Ambulance Contract, there are two bidders; however, as Mr. Currier was not present, the Bd. agreed to hold on the contract award, as Mr. Currier has some input on same - the contract expires on June 30 - on a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to authorize the AA to seek a 30-day extension of the existing contract with American Ambulance. The Bd. will discuss same at their next mtg.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to award the bus trans. contract to the only bidder-Marinel Trans. in the amount of \$28,000-same figure as the previous year.

Special Town Meeting Article Assignments were as follows: 1)JBS; 2) WRM; 3) PCH; 4) AJL; 5) PLC - the Bd. approved of the assignments.

The Bd. discussed the four proposed locations for the Salt Storage Shed: Carlisle St., Lot 123; Evergreen Street, Lots 16 & 17; Groton Road, Dump Lot 20; and Pine Hill Road, Lot 35B. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to locate the salt storage shed at the designated choice after the formal viewing by the BOS, which is on the grounds of the McCarthy Jr. High School - a Public Hearing will have to be scheduled by the AA for July 25, in order that the BOS may receive input from the residents regarding this location - mtg. should be scheduled early in the agenda on July 25, after which time the Bd. can vote on the final decision regarding location of the salt shed. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to authorize the AA to meet with Mr. Kenneth Tarbell, of the State, to discuss in person or by telephone the proposed location and the specs, in order that we will have this info for the public hearing.

Corres.Sum.

Item 3 - corres. from Bldg. Insp. re: Camera Unit for taking pictures of zoning violations & bldg. code violations - Mr. Murphy had a hold on this, as he wanted to get a more detailed report from the BI on this purchase, at the 6/13 mtg. Mr. Murphy had no further objections.

Item 5 - corres. from Robert Conway re: rules & regs. for use of Quessy School- Mr. Conway had some changes to Mr. Murphy's proposed rules & regs. - in 2 instances where Mr. Conway changes the words from 'residents' to 'abutters' - our intention was to not restrict use just to abutters, but to residents-we will not change 6 & 7, but will accept the other two changes - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to modify regs. 3 & 11, and forward these additional changes to the Chelms. Players & ask for their input on same asap.

Item 8 - corres. from DPW Study Comm. re: permission to use Town Counsel re: contract with prof. consultant - what effect would proceeding before a contract is signed have on subsequent billing for services rendered for any period of time prior to signing of the contract - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Silver that the contract will commence at the beginning of the Fiscal Year, not before - the contract will have to be forwarded to Town Counsel for review & recommendations as to form & the vouchers will be signed by the DPW Study Comm. & BOS.

Item 9 - corres. from Marion Yonge will be placed in reading folder for Bd's. review re: Comm. Reports for SHARE - all SHARE reps. have been requested to forward this Bd. will monthly reports, which we have not rec'd. for some time. This report will be placed as an Agenda Item for the Sel. Mtg. on July 11, should any Bd. member have comments on same.

Item 10 - re: corres. from Caddell & Byers Insurance re: Workmen's Comp. - On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to change the AA's recommendation to schedule a mtg. with Mr. Walsh in the Fall to discuss his proposals in greater detail with the BOS & the IAC, we will advise Mr. Walsh of this.

Item 13 - corres. from L. Rondeau re: damage to fence at 6 Bellevue St. - On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to advise the HD to solve the problem re: repair of the Seneta's fence, ^{asap} and report back to the BOS when same has been completed. Mr. Lovering had originally moved that the HD repair the fence up to a maximum of 4 sections-the motion failed for lack of a second.

Item 27 - corres. from Planning Board re: contract with Pl. Bd. & Town Engineering Associates, which lapsed in 1976 - on a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to defer discussion on this corres. until the Sel. Mtg. on July 11, as the Chairman had promised a detailed discussion on this sometime after Town Meeting - the Planning Bd. should continue with the current agreement until the Bd. can discuss same on July 11.

Item 28 - corres. from E. Williams requesting mtg. with BOS to discuss Northeast Solid Waste Committee - Mr. Lovering will try to attend the next meeting of the group, and Ms. Williams will be in contact with the Bd. and vice-versa, as the Bd. would like to meet with her in the future.

Item 30 - corres. from Gerald Silver, DPW Study Comm. re: questions from their consultant - the Bd. members will try to agree on one answer per each question - this will be placed on the agenda for 7/11 for the Board's comments & a formal vote of the Bd.

Item 43 - corres. from Clement McCarthy, Town Counsel re: unpaid bills - total of \$9,446 - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to add to the recommendations a change in the Law Dept. Budget due to the change in Town Counsels - we will ask the Town Acct. to reconstruct the charges over the last 5 years & recommend to the BOS a more appropriate budget, so that at Town Meeting we will be better prepared to have the exact dollar figure - the Town Acct. should also recommend a policy of billing on a monthly or bi-monthly basis.

Item 47 - corres. from Youth Center Coord. re: request for PA system for outdoor coffeehouse for Youth Center at McFarlin School on July 20 - on a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to advise the Coord. that he does not need to have a permit to use a loudspeaker; and it was voted further to advise him that the Board of Selectmen are opposed to the outdoor coffeehouse and do not endorse this activity and are strongly opposed to same for safety and health reasons.

Item 52 - corres. from Mary Pease - her resignation from Comp. Perm.Comm. - Mr. Murphy requested a hold on a replacement for Mrs. Pease, as he would like to contact someone who has indicated a willingness to serve on same as a potential co-chairperson.

Item 53 - corres. from McDonald's Restaurant, Drum Hill Road, requesting permission to have picnic tables outside at McDonalds for use by the patrons - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to deny this request.

Item 60 - corres. from Wm. Tambo, Chairman of Chelms. Soccer Assoc. requesting ins. coverage for their summer program's employees - on a motion by Mr. Lovering, seconded by Shanahan, it was unan. voted to advise the Ch. that the YSA is to procure whatever ins. they need as an organization, similar to what the other youth groups in Town have for their organizations - the Rec. Comm. should be contacted by Mr. Tambo for some info. on this insurance.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to continue the meeting after 11:00 PM.

The Bd. is in receipt of corres. from Mr. & Mrs. Scott on Purcell Drive, asking that the Bd. recommend a traffic study of this area, in view of the tragedy

which occurred in So. Chelmsford in this vicinity. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask the Police Dept. Safety Officer to view the situation to determine if recommendations should be made for traffic lights at that intersection. The Bd. agreed to request that Officer Bell inform them of any situations in Town whereby he determines that traffic lights or surveys should be conducted, by a separate memo.

Mr. Lovering stated that he feels that there is an area which the Bd. has not addressed, which Mr. Lovering called the 'generation of revenue' - we should remind ourselves that maybe there are ways the community can generate revenue that we are currently not doing, i.e.: Cable Television & annual income from a portion of the fees that are charged to the homeowner; the Town Hall future - Mr. Lovering does not think that the Emerson Prop. Dev. Comm. should be re-appd., as he feels that their work is finished - maybe a jr. high school will be available to us within 5-6 years - maybe McFarlin should be considered as apartments for the elderly as a private use of revenue, etc. Mr. Lovering suggested that the Bd. start thinking about generation of revenue. Mr. Murphy advised the Bd. that DCA wants applications for re-use of old bldgs., and he suggested that we take action on same - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask the Town Planner to put something together for the BOS to review asap & have the Chairman of the Board sign same, along with the Planning Board for signature this Thursday at the STM.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to ask the Town Acct. to perform a study on the subject of fringe benefits for the Town of Chelmsford across the board-for all employees, as well as by major departments.

Mr. Lovering informed the Board that the telephone service in the greater-Lowell area has been less than satisfactory, in comparison with other areas in the State. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask the Telephone Company to come before the BOS, at their convenience, to explain to the Board the latest status of equipment which services our area and whether or not there are any plans of changing it, or adding capacity.

Mr. Hart informed the Board of a problem on Bartlett Street-people are using Bartlett St. as a short-cut coming down Route 27. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to ask the Police Dept. to check out this problem and make recommendations to improve this situation - the PD rep. should speak to Mr. Walsh, who lives in that vicinity, as he has a great deal of knowledge about this area and the problem with the traffic pattern at this location.

Mrs. Haines advised Mr. Murphy that she has requested a list of organizations to perform the study of the Police Dept., and she should have same for the next mtg. on July 11.

Paul Bienvenu and Mrs. Haines will meet with Dr. Rivard to discuss the sidewalk construction in the near future.

Mr. Murphy asked if the BOS had received any corres. from the Supt. of Schools re: drug problem - we have not rec'd. any corres. to date from Dr. Rivard, Mrs. Haines informed him. Last summer we were approached by our SHARE reps. who informed us that our Town had the typical drug problem plaguing the country, and some programs should start-the SHARE reps. were supposed to come before the BOS after Sept. to discuss same-but we have not heard from the reps. yet.

Mr. Murphy stated his concern re: temporary weekend signs put up by real estate agents & persons advertising yard sales in Town-as the BI works five days a week he is not able to take down or remove the signs on Saturdays, when quite a few of the illegal signs are erected- the Bd. agreed to ask the BI if he thinks that it is appropriate to ask his CETA employee to try to assist us, as his schedule may be ascue throughout the week, and he may be able to put in a few hours of work on Saturdays to help the BI with these illegal signs.

Two weeks ago, Mr. Murphy commented that we had asked the BI to advise the Bd. of the mtgs. and conferences he attended which resulted in his request for trans. for out of town expenses - we rec'd. corres. dated June 6 from the BI indicating some 5 conferences he attended. Mr. Murphy checked these out with the State Bldg. Code Comm. and a rep. of the Inspector's Office in Boston - of the 5 conferences listed, 2 were given by the Dept. of Public Safety which are area meetings which the area supervisor holds as a way of communicating with people; however, there are 3 conferences listed which, according to the agencies cited, were never sponsored in that community at the date and time listed. The Framingham Conf. on March 24 was not sponsored by the Bldg. Code Comm; the Shrewsbury Conf. which is the annual State mtg. sponsored by the Dept. of Public Safety was not sponsored by the DPS or the Bldg. Code Comm; and the Norwood Conf. was not sponsored by the Bldg. Code Comm. Mr. Murphy requested further clarification from the BI, and he will be glad to furnish the tel. numbers of the State persons involved. Mr. Shanahan stated that he feels that Mr. Murphy could have handled this problem in a more sensitive manner. Mr. Lovering stated that he feels that Mr. Murphy handled the problem in the correct manner, that is, bringing it out before the Board. Mr. Shanahan proposed that with regard to problems of this nature, the problem should be brought to the attention of the Board on an informal basis, so that the Bd. can be aware of what is going on. Mr. Murphy stated that he feels that government is supposed to be conducted openly. Mr. Hart shared Mr. Shanahan's comments & feelings.

Mr. Shanahan stated that with regard to an earlier agenda item, namely, the discussion regarding Crystal Lake and DeMatteo Construction Co., Mr. Shanahan indicated at one point that he did not put his faith in oral agreement with Mr. DeMatteo - his intention was not to single out Mr. DeMatteo, personally, but rather DeMatteo Constr.Co.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn the meeting at 11:30 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held July 11, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering; and Mr. Hart. Mrs. Haines, Adm. Asst., was away on vacation. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held June 27, 1977.

Mr. Currier reported on a mtg. held last Friday with the Sen. Cit. Drop-In Center Comm. and the architect re: the bldg. and completion of the project. Mr. Currier presented the Bd. with a model of what the finished project will look like - it is anticipated that it will be **bid** in July - 2 rooms will be added for mtgs., one for 55-60 people, another for 35 people. The offices of the Town Aide & a Health Office will be located there, and a kitchen will be built for use of the Sen. Citizens. It is a 1½ story building.

Mr. Murphy requested a status report from the BOH re: Lowell Sportsmens' Club & sewerage there. The memo to the Hghy. Dept. about changing locks, etc., at the landfill will be forwarded on June 12.

Re: stolen boards from Crystal Lake, traffic signs, swimming at the lake, etc., a mtg. has been scheduled with all parties concerned to discuss these items on July 25 - Mr. Loney is aware of the stolen boards. Mr. Hart stated that the stolen boards will not hold up the work to be performed by DeMatteo. The Bd. agreed to ask Mr. Rondeau what is happening re: the boards, and ask the BOH how often they are testing the water for swimming.

Meeting
Adjourned

Members
Present

Minutes
Adopted

Board Reports

Board Reports
continued

Unfinished
Business

Mr. Shanahan requested a status report from Town Counsel on an opinion re: major oil companies & non-reissuance of petroleum product licenses by the Town.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Mrs. Elizabeth Sink as Clerk in the Acct. Office at \$129.30 per week.

The Board agreed to hold on discussion re: Deputy Chief until the last interview is conducted.

Mr. Murphy nominated 21 Police Officers from the Town of Westford to be appointed as Special Police Officers for the Town without pay, in accordance with a request and recommendations from Chief Germann - the Bd. unan. appointed the 21 officers.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Ellin Boorse, 64 School Street, as Youth Center Part-Time Chief Supervisor at \$3.99 per hour.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Richard Graham, 104 Treble Cove Road, Billerica, as Youth Center Part-Time Supvr. at \$3.08 per hour.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appt. Kevin Millar, Wildes Road, as CETA Hghy. Dept. Laborer at \$164 per week.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appt. Costas Kevghas, Jr., 28 Adams Street, as CETA Custodian/Watchman for the Rec. Comm. at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appt. Frank Ferreira, Riverneck Road, as CETA Custodian/Watchman for the School Dept. at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appt. John Diberto, 5 Stevens Street as CETA Custodian at the Adams Library at the specified salary.

Re: appointment for a CETA Custodian/Watchman for the School Dept., Mr. Watt recommended that Charles Bean, 10-C Sinai Circle be appointed. This is item 42 on the Corres. Sum. - Mr. Murphy stated that Mr. Bean had been previously employed under the CETA Program in the East School for the Rec. Comm., and he requested that the office ask Mr. Watt for another recommendation for this appt., in view of the above.

Mr. Murphy moved the nomination of Janet Lombard, Bridge Street, to be appd. to the Middlesex Canal Comm., the Bd. unan. voted to appoint Ms. Lombard.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to disband the Central Square Committee. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to authorize Storch Engineers to update their plans for Central Square and bring their final plan before the BOS-Mr. Murphy stated that the costs may well be over the original dollar figure approved two years ago at TM - Mr. Murphy stated that their plan does not include a pedestrian light at Central Square - our corres. should make sure that the pedestrian light is included in their final plan.

At 7:45 PM Sealed Bids were opened and read aloud for drainage projects for six (6) streets - only 1 bid was received for the work - On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to open the single bid, received from Chelmsford Excavating Co., which was as follows: A certified check in the amount of \$2,812.61 was enclosed with the bid from the Union National Bank of Lowell - Coolidge Street-\$8,573.50; High Street-\$18,270.48; Janet Road-\$3,331.50; North Road at Linwood Street-\$4,033.05; Swain Road-\$15,513.82; Dunstable Road-\$6,529.88. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to award the bid for these six streets to the only bidder in order or priority, to Chelmsford Excavating Co. in the amount of \$56,252.23. The PA reviewed the bid and advised the Bd. of his recommendation for award during this meeting.

Bid Opening-
Drainage -
6 streets
(rebid)

Sealed Bids were opened and read aloud for Roof Repair at the East School from G.A.LeGasse Co., who submitted two bid letters as follows: 1) roof repair-\$700; 2) Complete re-roofing-\$1,625, the other letter contained no price, which explained why there were two bid letters - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to turn the bid over to the PA for his recommendation for award.

Bid Opening-
Roof Repair

A mtg. was held at 7:50 PM with the Town Forest Committee re: the condition of the Town Forest. Mr. John Smith was present. Mr. Kenneth Goggin could not be present for the mtg. Mr. Smith advised the Board of a problem at the forest, namely, heavy littering in the area of the forest and a problem with flow of traffic through fire lanes. Mr. Smith recommended that the forest be cleaned and that the small access road into the forest be blocked off in such a way that cars could not get in, but Fire Equipment could pass through in the event of an emergency - Mr. Smith will contact the Boy Scouts, if necessary, to clean up the area - Mr. Murphy suggested that the NYC be requested to perform this task, or the CETA employees-Mr. Smith could show them the areas in question. The Board will ask the HD to look into blocking off the area, either by a barricade or by implanting stakes with a padlock & key for the Fire Dept. The clean up could be coordinated with the HD for trucks to take the litter away. Mr. Murphy informed Mr. Smith that as a result of Town Meeting action, the Cons. Comm., if the article is approved by the Atty. Gen., will act as the Town Forest Commission- perhaps Mr. Smith & Mr. Goggin could assist them in various areas to coordinate the take-over. The Sel. Office will forward Mr. Smith with the name & address of the CH of the Cons. Comm.

Mtg.with Tn.
Forest Comm.
re: condition
of forest

Mr. Currier informed the Board that Rep. Freeman telephoned the office this morning and advised the Bd. that Rep. Edward LeLacheur would not be present for his 8:00 PM meeting with the BOS this evening to discuss Legislation, as Rep. LeLacheur was in New York. Mr. Lovering moved that this office advise Rep. LeLacheur that we are no longer interested in having him come before the Board of Selectmen, and we look forward to the future as opposed to the past - Mr. Murphy seconded this motion. Mr. Shanahan suggested that the Bd. continue to carry this mtg. as an item on the Agenda in the future-he feels that Rep. LeLacheur is building up a public record indicative of his concern for his district. Mr. Lovering withdrew his motion. The Bd. agreed to keep this item on the agenda under Unfinished Business for a period of time; however, this will be carried on the bottom of the agenda, in order that these cancellations will not hold up the meetings in the future, should same occur again.

Rep.LeLacheur
not present
for 8PM mtg.
with BOS

Mr. Hart moved to re-appoint the Crystal Lake Restoration Committee, as they are still serving a purpose and will serve their purpose until the Lake is restored-members are: Mr. Edmund Polubinski, Mr. Thomas Firth, Mr. Robert McManimon, Mr. John Kenney, Mr. Paul Hart, Mr. Peter Dulchinos, Mr. Robert Gagnon, Mr. Haworth Neild-these persons were re-appointed on a motion by Mr. Hart-four in favor, one opposed-Mr. Lovering.

Unfinished
Business
continued

Mr. Murphy moved the re-appointment of the Civil Defense Comm. as follows: Mr.

Walter Hedlund-Chairman, George Brown, Melvin DeJager, George Dixon, William Edge, Walter Edwards, Joseph Stavely - the Bd. approved the appointment of Philip Gilinson, Purchasing Agent, to the CDC.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to disband the Local Growth Policy Committee, as their tasks have been performed. We will ask Mr. Flynn for the files of the Committee for the Selectmen's Office to keep for future reference.

The Bd. agreed to hold on appointing a rep. to the MCAB Rotberg Study Review Comm.

There are seven positions on the Recreation Commission - Mr. Shanahan nominated the following persons: H.Ayotte; A.Bruno; R.Charpentier P.Murphy; T.Trainor - Mr. Lovering nominated the following persons on the current RecComm: R.Charpentier, H.Ayotte; W.Dempster; P.Murphy; J. Peters; R.Roche; J.Murray, and requested that the members be individually voted on by the BOS. Each Bd. member voted as follows: Mr. Murphy-Mr.Charpentier, Mr. Ayotte, Mr. Dempster, Mr. Murphy (Paul), Mr. Peters, Ms. Murray, Mr. Bruno; Mr. Shanahan-Mr.Charpentier, Mr. Ayotte, Mr. Murphy (Paul), Ms. Murray, Mr. Bruno, Mr. Trainor; Mr. Lovering-Mr.Charpentier, Mr. Murphy (Paul), Mr. Peters, Ms. Murray, Mr. Bruno, Mr. Roche; Mr. Hart-Mr. Charpentier, Mr. Ayotte, Mr. Murphy (Paul), Mr. Peters, Ms. Murray, Mr. Bruno, Mr. Trainor; Mr. Currier-Mr. Charpentier, Mr. Ayotte, Mr. Murphy, Mr. Peters, Ms. Murray, Mr. Bruno, Mr. Trainor. The following persons were voted as members of the RecComm due to a majority vote: Mr. Robert Charpentier, 21 Miland Ave; Mr. Harry Ayotte, 25 Holt Street; Mr. Paul Murphy, 21 Whippletree Road; Mr. John Peters, 17 Lantern Lane; Ms. Joan Murray, 15 Rack Road; Mr. Anthony Bruno, Chatham Road; Mr. Thomas Trainor, 3 Grant Street.

Chairman Currier volunteered to serve as Sel. Rep. on the Middlesex County Adv. Board.

Mr. Murphy moved the re-appointment of the Town Celebrations' Committee as follows: Mr. Hedlund, Mr. Day and Mr. Gifford - new appt: Dana Caffelle, 26 East Sheppard Lane - the Bd. unan. appointed these persons to serve on the TCC.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Lovering, to re-appoint Anthony Ferreira, Riverneck Road, as Sealer of Weights & Measures, with a salary of \$2,000 per year.

Mr. Murphy moved the re-appointment of the following persons for the Youth Center Advisory Committee: Janet Greeno, George Weinert, Judy Harrison, Jo Ann Weisman, Everett Brown, Jay Finnegan, Michael Gilchrist, Wendell Luke, William Murphy, Phillis Dougherty - he also moved the appointment of Trudy Wall, 9 Westchester Road and Martha Doukszewicz, 3 Clarissa Road - he further moved that the following persons be appointed as Alternates, as their spouses are already appointed on the Committee: Carol Gilchrist, 16 Rack Road; Joanne Weinert, 21 Rack Road; and Vincent Harrison, 17 Ansie Road - the Bd. unan. voted to appoint and re-appt. the above persons, the Chairman voted present, as he is related to Mrs. Doukszewicz.

Mr. Murphy moved the appt. of William Hennessy to fill a vacancy on the Ins. Adv. Comm., and he moved the re-appt. of Roger Welch, ^{potential} Henrick Johnson, Peter Dow and Walter Hedlund. Mr. Murphy stated his concern re: ^{potential} conflict of interest in any of the persons serving on the IAC, as some them are ins. agents-perhaps they should be classified as Special Municipal Employees. It is not clear whether or not if they bid successfully, or bid at all on ins. for the Town, if this would be a potential conflict of interest. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to ask Town Counsel for a legal opinion as to the potential conflict of interest on the IAC.

The Bd. agreed to hold on appt. of co-chairman of the Comp. Permitting Committee.

The Bd. was provided with a list of firms who may be interested in performing the Police Evaluation - in accordance with Article 26 of the 1977 ATM - On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to request the other organizations located in Massachusetts to submit a letter with some background info. on their firms to the BOS for their review, then the Board can narrow the list down from there to 3 firms. The firms are: Mass. Pol. Institute, MLC&T, Urban Sciences, Inc., US Civil Service Comm-Div. of Intergovernmental Personnel Programs, Institute of Public Service Management, Robert Sheehan Associates, Touche Ross & Company.

Re: bid award for Fletcher Street - the Purchasing Agent informed the Board that the low bidder was N. Pandelena & Son, Inc., in the total amount of \$50,598 - the PA recommended that the Bd. award this bid to Pandelena, which was opened last week by the Adm. Asst. and Purch. Agent. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to award the bid for the Fletcher St. relocation to N. Pandelena & Son, Inc., in the amount of \$50,598. Mr. Murphy was concerned that we may run out of funds for these projects - on a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to give first priority to the Fletcher Street project.

The Bd. recessed at 8:27 PM for five minutes.

At 8:30 PM a Public Hearing was held on the application of Papa Gino's of America, Inc., for a Wine & Malt Beverages Common Vict. License at 29 Chelmsford Street. Atty. Howard Wayne was present representing Joseph Davidian, Manager. Mr. Ronald Priore, Dir. of Real Estate for Papa Gino's of America, Inc., was also present. Atty. Wayne presented the Chairman with an affidavit re: the return receipts. Mr. Currier informed the Bd. that Mr. Shanahan, in accordance with his April 26, 1977 point of privilege regarding liquor licenses, will abstain from this hearing. Mr. Lovering asked Atty. Wayne whether or not the Stuart St. Chowder Soc. has any intentions to appeal the Bd's decision re: rescinding the SSCS license - Atty. Wayne stated that he has not heard of any appeal. Atty. Wayne stated that the premises on which the license would be exercised are the same premises where the Brigham's Restaurant was located. The exterior of the bldg. would not be changed. At this point in time, Chairman Currier advised Atty. Wayne that the Bd. has not received the Return Receipts for Peter R. Markham and Parish of All Saints - after a check, Atty. Wayne located the Ret. Receipt for the Parish of All Saints - Mr. Markham was present, as evidence that he had been notified of this hearing, however, the Office did not receive his Ret. Receipt. Atty. Wayne presented the Bd. members with a list of all other locations where Papa Gino's restaurants are located, and photos of a typical Papa Gino's. Mr. Priore explained that the restaurant is basically family style, and would be open from 11AM to 12 Midnight. It is intended that a stockade fence would be erected in the back of the premises to enclose the rubbish dumpster. The rest. would seat approx. 97 persons - the rest. is staffed by 12-18 personnel (waitresses, etc.) and a manager trained by the company. The parking lot would be re-stripped. Mr. Murphy presented the Chair with a letter he received at work on this date regarding this license from Herbert Willman, Jr., Senior Warden at the All Saints' Episcopal Church - which stated that after polling the Vestry of the Church, it was determined that the Vestry is opposed to the granting of this license - they object to the late hour and the 7 days a week that Papa Gino's would be open & serving alcoholic beverages, they feel that this service would only add to the deterioration of the center of Chelmsford. Mr. Murphy asked Mr. Priore if the operation would consider restricting its hours to 10PM - Mr. Priore stated that this could be proposed during the week, and perhaps compromise to remain open until 11PM on weekends, and he would be willing, if necessary to station a police officer in the parking lot if traffic became heavy. The operation could commence, if the license were granted, within 90 days, Mr. Priore informed the Bd. Mr. Priore stated that if the license (Wine & Malt) is not granted, he feels that Papa Gino's would not want to operate a restaurant at this location, due to parking limitations and number of seats in the facility.

Public Hearing re:
Papa Gino's
Wine & Malt
Bev. License
application

Public Hearing
Papa Gino's
continued

Mr. Currier asked if there was anyone present in favor of the granting of the Wine & Malt Com. Vict. License to Papa Gino's - no one was present. Mr. Currier asked if there was anyone present opposed to the granting of this license - Mr. Currier read the letter from All Saints' Church at this time - Rev. Walter Sobel, Rector of All Saints' Church, was present and re-iterated the comments in the letter opposing granting of this license. Mr. Robert Pontefract spoke on behalf of Mr. & Mrs. Henry Erikson, 21 Chelmsford Street, in opposition to the granting of this license, due to congregation of youths at the present facility, parking problems and litter in the general area. Mr. Murphy asked if the Church, based on its beliefs, is opposed to the selling of liquor in restaurants - Rev. Sobel said no. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to take this matter under advisement until further notice, in order that the Selectmen's Office can determine what legal requirements the BOS have to listen to the opposition of the Church-is the Church's opposition advisory to us, or, in fact, does the Church have some legal rights regarding their opposition. Mr. Hart stated that if the Church is within a certain number of feet from the premises in question, and if the Church is opposed to the granting of the license, does the licensing authority have to abide by the opposition of the Church. Atty. Wayne stated that if there had been a Wine & Malt Bev. li-
cense^{existing} on the premises before, does the Church still have the right to object to the granting of the present license, in view of the fact that they did not object to the previous Wine & Malt Bev. license.

At this point in time, Mr. Shanahan returned to the meeting.

Mtg. with R.
Raab re: zon-
implemen-
tation

A mtg. was held with Robert Raab, CH of the Planning Board to discuss zoning implementation. The Planning Board unan. voted to help the Building Insp. in enforcing the zoning bylaws re: violations by advising the BI in writing, with a carbon copy to the BOS, of any violations they find throughout the Town. Mr. Raab stated that the Plan. Bd. wishes to renew its contract with Town Eng. Associates for another year - they hope that the Town Planner will be able to work more closely with their consulting firm. On July 20 the Planning Bd. is meeting with its consultant to work on a sign bylaw, which they hope to present as an article in the 1978 ATM Warrant. Mr. Raab requested that the BOS advise Ken Carney, Town Planner, to attend this July 20 mtg., the BOS were also invited to attend same. The Board of Selectmen endorsed the Planning Board's concepts for helping enforce the zoning bylaws with the BI. Mr. Murphy stated that some time ago, the BOS agreed to address the subject of consolidating the work of our consulting firm (Emmons, Fleming & Bienvenu) and the consulting firm of the Planning Board (Town Eng. Assoc.). Mr. Lovering stated that if this type of consolidation should come about, it would take a great deal of time. Mr. Murphy was concerned that at Town Meeting, many people assume that Mr. Bienvenu is the Town Engineer, and often when he addresses Town Meeting, he is acting in his own interest, because he is not the Town Engineer, but rather a consultant for the Town in many instances. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to re-appoint the firm of Town Engineering Associates for another year as consultants for the Planning Board. Mr. Lovering stated that due to funds, the Bd. did not support implementation of appointment of a Sup. of Engineering for this year's Town Meeting - he hopes that the Bd. will support same next year.

Mtg. re: Colon-
ial Chev. re-
quest for Cl.
II Auto Deal-
er's license

A meeting was held with Lawrence Cunningham, General Manager of Colonial Chevrolet, Inc., re: his request for a Class II Auto Dealer's License at 39-45 Chelmsford Street. Mr. Cunningham was present, as was Norman D'Amour, Atty. from Philip Nyman's Office, representing Colonial Chevrolet, Inc. Atty. D'Amour stated that a variance was granted to Peter Hallissy by the Bd. of Appeals in 1976 for an auto sales room at the same location - it is Atty. D'Amour's understanding that Colonial has been storing motor vehicles there for approx. 3-4 years. Presently Col. Chev. is in negotiations with the estate of Roger Boyd for an extension of their lease for the purchase of that property.

There have been some difficulties, and in the event that it does not work out, Col. Chev. would prefer to re-locate in Chelmsford, across the street from their present location, until they can find another location - this is the intent of the request for the Class II license. Mr. Murphy requested that Col. Chev. consider painting a line in front of 39-45 Chelmsford Street, which would separate the sidewalk from the car lot, to insure a pedestrian right-of-way. No one was present in favor or opposed to the license. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to grant Col. Chev. this Class II Auto Dealer's License at 39-45 Chelmsford St.

mtg. re:Col.
Chev. ClassII
license
continued

Mr. Currier addressed the subject of ambulance service - we have obtained a 30-day extension from American Ambulance - Mr. Currier questioned why it was necessary for the Town of Chelmsford to pay a retainer to either of the services in business in the area, Medic or American Ambulance, as the City of Lowell does not pay a retainer, and uses each firm for one month, then alternates with the other firm. Mr. Currier stated that if we continue to pay a retainer fee, we should have written assurance as to the number of vehicles available for the Town and the number of people on call. Mr. Currier would like to investigate the possibility of, in the future, being able to call either American or Medic. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to invite American Ambulance & Medic Ambulance to the Sel. Mtg. on July 25 to discuss some alternate summoning of each service by the Community in a fair and impartial manner and to discuss the elimination of any subsidy. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask the Fire Chief to review the possibility of establishing a Town-run Ambulance Service and forward his disposition on this matter, on a long-term basis. The main problem in costs is labor.

Unfinished
Business
continued

Mr. Currier informed the Bd. that the brush-clean up is continuing, and he anticipates that the removal project may be complete by the end of next week. Mr. Lovering commented that some of the high priority streets in Town have still not been cleaned up - i.e. in the Westlands.

Item 4 - corres. from the MLC&T re: suggestion for nomination ofr Exec.Bd. member of the MLC&T - on a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to endorse the nomination of Mr. Murphy, Past President of the MLC&T, as the Bd's. nominee.

Corres.Sum.

Item 8 - corres. from John Downing, MEC re: spraying of defoliants in Town - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to request that Mr. Downing identify the herbicides which he refers to in writing to the BOS - after receipt of this info, the Bd. will schedule a meeting with Mr. Downing, the Chelms. EAC and the Bd. to discuss the matter in greater detail.

Item 27 - corres. from Mr. Archambault, 5 Abbott Lane re: request for dog hearing - the Bd. agreed to ask the Town Clerk if the dogs are registered & how many there are at that address.

Item 35 - request for renewal of 4 Sunday Ent. Licenses for Cinema Realty Trust - the Bd., on a motion by Mr. Murphy, seconded by Mr. Shanahan, unan. voted to approve this renewal, subject to determination that all real estate taxes have been paid at the Cinema.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Murphy informed the Bd. that we are in receipt of notice from the Bd. of Appeals advising us of a hearing on July 28 before the BOA re: Carye - Carye & Cohen Trustees of Carex Realty Trust/Electronic Amusement, Inc., Chelmsford Mall,

New Business

Chelmsford Street to occupy & use space of about 1600 square feet at the Chelms. Mall for indoor amusement center-this is not a permitted use in a CA District-Mr. Murphy stated that an application came before the Bd. about one year ago and the Bd's. concern at that time was congestion by parking, etc., at the mall. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to go on record with the Board of Appeals advising them of the Board's opposition to the application for an indoor amusement center at the Chelmsford Mall.

Mr. Murphy stated that we did not receive an answer from the State as to how much money they paid for the paving job at the Rotary - the road surface is deteriorating badly, there are only a few of the flashing lights left, and the sweeping & maintenance has not been taken care of for some time. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the State to return the Drum Hill Rotary to a reasonable condition.

To date, we have not received any request for a mtg. from the Supt. of Schools regarding the drug problem. A joint mtg. was to have been held to form a task force to solve this problem. Last Summer, Mr. Murphy brought up a suggestion that a mtg. be held after Labor Day - it is now close to another Labor Day & that mtg. has not been held yet, and it the fault of the people who originally presented it to us.

Mr. Murphy stated that there appears to be some Fed. funds available in Chapt. 19 or 20 of the Fed. Social Security Act allowing use of donated funds for services in the community of a social nature-this community has never explored this- on a motion by Mr. Murphy, seconded by Mr. Shanahan, ^{request the Town Accountant to} it was unan. voted to research the potential use of donated funds by the community to sponsor some programs - we will ask that he get his answer back to us by Sept. The funds could be used for the Youth Center, or for the Sen. Cit. Drop-In Center, or for Camp Paul, etc.

Mr. Murphy stated his concern re: adequate representation at Town Meeting by the Town's consultant for the HD-he would like to be able to address this problem with Mr. Bienvenu to agree on how he will represent the Town and what the limitations are, so that he can maintain his own business, and we can be assured of representation at Town Meeting - the Bd. agreed to invite Mr. Bienvenu in to a Sel. Mtg., at his convenience, to discuss this matter with the BOS.

Mr. Murphy stated that it is obvious that the reps. in the Great & General Court have not listened to their Sel. & Mayors in the communities - we had 2/3 of our representation to our mtgs, but it shows the need for an on-going dialogue between Bds. of Sel. and State Reps. and Senators to make sure that they get our opinion, and to insure that we get their opinions. The Senatorial District is quite large and involves approx. 35-40 Selectmen. Mr. Murphy proposed that Chairman Currier communicate with other Chairmen of Selectmen in the district with a suggestion that the Boards of Selectmen meet on a regular basis (every other month) at a location within the district which could change with each mtg., on some evening other than a regular Sel. Mtg. with the idea of having a regular meeting with our Senator. Mr. Currier will perform this task by the first of Sept. and a letter will be sent to all the Chairmen of the Bds. of Sel. in the district.

Mr. Shanahan informed the Bd. that on July 28 the Bd. of Appeals will hold a hearing re: Kim Mac Kensie, 101 High Street, for a variance to maintain an existing addition-it is in variance as there is insufficient side yard - Mr. Shanahan stated that the owner rec'd. several letters from our BI to cease & desist work on this addition, but he went right ahead with the construction, and now it is totally completed - now the owner is requesting a variance for the existing addition-- On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to endorse the BI's action and advise the BOA of our vote, as a burden has been placed upon the neighbors by the owner re: violation of the zoning bylaws.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to forward a letter to the Chelmsford Colonial Minutemen and to the Chairman of the Town Celeb. Comm. congratulating them on a job well done re: 1977 Fourth of July Parade & events surrounding same.

Mr. Lovering requested a brief, written status report from Paul Bienvenu re: status of aerial mapping project.

Mr. Hart informed the Bd. of a problem re: areas in Town where newspapers are dropped off for the paper boys to pick up and deliver - the roping around the newspapers and the papers outside the packets of papers are being left for the wind to blow away, etc. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to send a letter to the major papers which deliver to the Town asking them to request their paper boys to make sure that this trash is not left behind them when they distribute their papers-we will ask the papers to ask their distributors & paper boys to conform to our request.

Mr. Currier read the following copy of a letter addressed to the Town Clerk from the Bd. of Assessors Chairman Claude Harvey: I hereby make notification of my retirement as Assessor for the Town of Chelmsford effective August 8, 1977. It is now up to the Bd. of Assessors to request a joint meeting with the BOS 30 days from his retirement to schedule a mtg. to fill the vacancy.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to sign the Blue Cross-Blue Shield Contract - Town Counsel stated that it was in proper form.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a Req. for Trans. from the Reserve Fund for the Sel. Dept. in the amount of \$413.01.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a Req. for Trans. for the Sel. Dept. Salaries-Senior Clerk in the amount of \$1.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a Req. for Trans. for the Law Dept. for legal services in the amount of \$1,483.01.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a Req. for Trans. for the Elections Dept. - Wages & Expenses due to Special Sen. Election in the amount of \$2,179.64.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:00 PM. Meeting adjourned

For the Board of Selectmen, by

Bruce Towe

Jurors drawn by Sel. Currier on July 20 for Cambridge: Olive Brown, 25 Mission Rd; Richard Gavin, Sr., 6 Monument Hill Road - for Lowell: Janet Langenfeld, 8 Coach Road.

Jurors
Drawn

Regular Meeting of the Board of Selectmen held July 25, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, AA, was also present. Mr. Currier, Chairman, called the meeting to order at 6:30 PM.

Members
Present

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Sel. Mtg. held July 11, 1977.

Board
Reports

Mr. Hart reported on his reasons for requesting the extension of time for DeMatteo Constr. Co. until the 31st of July. The work was originally scheduled to be performed by July 21, in accordance with an agreement between Town Counsel & DeMatteo Constr. Co. The work is progressing - Mr. Hart met with Mr. Gustenhoven and a rep. of FS&T at the site of the dam last week - the dam is not leaking anymore.

Town Counsel
Reports

The Bd. rec'd. an opinion from Town Counsel on this date re: Papa Gino's, Inc. re: whether or not opposition of the All Saint's Episcopal Church as presented at the Sel. Mtg. July 11 was advisory - Town Counsel stated that "premises... located within a radius of 500 feet of a church... shall not be licensed for the sale of alcoholic beverages if the governing body of such church... files written objection thereto; but this provision shall not apply to the transfer of a license from premises located within said distance to other premises located therein, if it is transferred to a location not less remote from the nearest church or school than its former location." The Bd. questioned the term 'radius' as opposed to the term 'measured along' - the answer to question 19 on the application - "How far from a Church is your business?" The answer is "over 300 feet" - The Bd. agreed to hold on this corres. for clarification from Town Counsel prior to the Board's Aug. 8 mtg. on the wording of Town Counsel's response.

Adm. Asst.
Reports

The AA informed the Bd. that re: Pol. Dept. evaluation, screening down the applicants from 6 firms to 3 firms can be done at the Bd's. Aug. 8 mtg.

The AA informed the Bd. that Mr. McGeown forwarded the Bd. with a response re: locks at the dump, etc. on this date - on a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to advise the HD that we do not want stray keys to the dump distributed and we want the dumping to take place during the regular working hours at the dump - within the next two weeks we will ask Mr. McGeown for a chart indicating who, when, and where the dumping is taking place - we should ask for copies of the slips of firms using the dump.

Unfinished
Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Frances Tansino, Coach Road, as Clerk under the CETA Program at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Timothy Johnson, 64 Hall Road and Paul Monette, Field Street, as laborers in the Cemetery Dept. under the CETA Program at the specified salaries.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Charles Bean, 10-C Sinai Circle, as Cust./Watchman under the CETA Program in the School Dept. at the specified salary.

The Bd. held on appt. to the MCAB Rotberg Study Review Committee.

Mr. Murphy moved the appt. of George Baxendale, Graniteville Road, as Veterans Graves Officer - he was unan. re-appt. by the BOS.

Mr. Murphy moved the re-appt. of Norman Douglas, Robert Hall & Brian Sullivan as Ex-Officio members of the YCAC - Mr. Lovering questioned whether they should be Ex-Officio members, or Advisory in the proper use of the term, - the Bd. unan. voted to appoint these men as Advisory Members of the Youth Center Advisory Committee.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appt. Gary Alcorn, 97 North Road, as CETA Laborer in the Hghy. Dept. at the specified salary to replace Kevin Millar, who resigned from this position.

Mr. Murphy requested that the Share reps. be placed on the agenda for the Sel. Mtg. on Aug. 8 for re-appt.

Unfinished
Business
continued

The Bd. discussed a piece of corres. received from Atty. James Geary re: truck exclusion on Scientia Drive - we would have to send a letter to the State requesting a restriction on this road. Mr. Murphy stated that when Atty. Geary originally appeared before the Board, the street in question was Blackmer St - the street (Scientia Drive) is presently unmarked - before we request the State to authorize this, we should ask Mr. Geary to have a sign installed. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to petition the State to exclude trucks on Scientia Drive - we will ask Mr. Geary to ask the owner of the street to install a sign.

Re: appointment of a Deputy Chief of the Police Department - On a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to appoint a Deputy Chief to the Chelmsford Police Dept. this evening. Mr. Currier stated for the record that we have received formal resumes from all interested Sergeants in the Chelmsford Police Dept., and interviews were conducted of all interested Sergeants. We have an opening which will be for approx. 9 months, depending on Civil Service. At this time, Mr. Currier stated that he would entertain nominees from the Bd. Mr. Murphy placed the names of all interested persons in nomination, on a second by Mr. Lovering this motion was unan. voted by the Bd. The Board was polled as follows: Mr. Murphy-Sgt. Greska; Mr. Shanahan-Sgt. Edwards; Mr. Lovering-Sgt. Greska; Mr. Hart-Sgt. Adams; Mr. Currier-Sgt. Greska. Sgt. James Greska received a majority of three votes - on a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to make the appointment of Sgt. Greska unanimous.

Appointment
of Deputy
Chief James
Greska

Rep. LeLacheur will attend the Aug. 8 meeting of the Board of Selectmen.

Item 2 - corres. from Robert Paquin, Dir. of the HUD area office re: Community Dev. Block Grant Program Met. Discre. Project for Sen. Cit. Drop-In Center - the Bd. agreed to request the Town Planner to forward the Selectmen with a response to this corres. for the Board's review, then the Bd. can forward same to HUD.

Corres. Sum.

Item 7 - corres. from Charles DiPesa & Co. re: Town Audit - On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to advise Mr. DiPesa's firm that at the present time the Town is not seeking an audit of its financial records by an independent public acct. firm.

The Board proclaimed July 29, 1977, as Claude A. Harvey Appreciation Day in the Town of Chelmsford - Mr. Harvey is retiring from the Board of Assessors, and he has served the Town of Chelmsford in many capacities over the past 34 years. Mr. Harvey stated that this was indeed an honor for himself, as well as for his family, and he thanked the Board for this proclamation.

July 29 pro
claimed as
Claude A. Harvey
Appreciation
Day

A photograph was taken of the signing of the contract with Charles Evans & Associates, who will be performing a study for the DPW Study Committee - Mr. Walter O'Connell represented Charles Evans & Assoc., and Gerald Silver represented the DPW Study Committee.

DPW Study
Contract signing

Item 10 - corres. from COM Outdoor Advertising Division re: billboards/signs in Town - Mr. Murphy stated that the BI informed the office that variances will have to be obtained from the firms having the billboards, as they have not been granted variances or spec. permits for same to date - the forms should not be sent in, as they are in error. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a letter, accompanied with these forms to the State stating that a spec. permit or variance does not exist, and we assume that the proper procedures will take place to seek a hearing before the Bd. of Appeals. We have not rec'd. a response from the State yet re: do these billboards come under the Grandfather Clause, which occurred in the last 5 applications.

Corres. Sum.
continued

Corres. Sum.
continued

Item 19 - re: corres. from Town Counsel concerning opinion on back sick time for Captain - Town Counsel feels that the Capt. is eligible to receive such accumulative pay up to the maximum limit set by our Personnel Wage & Salary By law as amended - Mr. Murphy stated that at the present time, records from the Pol. Dept. indicate that there are 32 days back sick leave due to the Capt. On the individual report from the PD, there were no records of sick leave kept over a 21-month period - yet over that same 21-month period, 30 days of sick leave were placed on the record - this all ties back to the problem in 1974 when the Capt. had a serious illness and was required to be out for an extended period of time - the Bd. agreed to extend the sick leave to cover that time period. The problem is that no records were kept over the remaining 21 months and in fact some 31 days were approved - Mr. Murphy can't see paying when no records were kept over two years - in April of 1976 the records started to be kept again. The reason the Bd. granted the additional sick leave to the Capt. at the time of his illness was that his sick leave was all used up - there was no more sick leave for the Capt. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to resolve the matter with the Chief of Police & Bd. of Sel. at a regular mtg. or work session in the near future - we will request the Chief to identify the amount of sick leave taken by the Capt. during July 31, 1974 to April of 1976 before our next meeting. The dollar figure should be as close as possible within \$2,000 - item 19 was on hold.

Item 23 - corres. from Louis Rondeau re: stolen boards at Crystal Lake - the Bd. agreed to have the AA determine the cost of the boards at the Lake - the boards will not be left at the Lake - they will be kept in a safe place, in the event that they are needed if the canal is drained, they could be kept at the Gilet Mills. The Bd. will make a decision on the boards after the price of same is determined.

Item 31 - corres. from Officer John Bell re: Rte. 27 - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to implement Officer Bell's suggestions with the exception of item 4 - all youth activities should be prohibited at the So. Chelms. VIA Hall in Village Square - we can only make this as a suggestion that the Grange Hall be used instead of the VIA Hall.

Item 56 - notification from Bureau of Accts. that Edward McCann, Jr., is the new Dir. of Accts. - no change in the recommendation - Mr. Murphy commented that the mun. organizations sat in on the screening of applicants for this position.

Item 61 - Board discussion re: corres. from Rec. Comm. re: appointments to the Rec. Comm & nominees for same...in the letter the Rec. Comm. requested a mtg. with the BOS to discuss these items. As Mr. Charpentier & Mr. Peters of the Rec. Comm. were present, the Bd. agreed to discuss these items with them at this time. On behalf of the Rec. Comm. Mr. Charpentier stated that the Rec. Comm. would like to be included in any discussions the BOS may have re: appointments to the Comm. The Rec. Comm. was upset that the BOS did not re-appt. a member who had been on the commission for 12 years. The Town Mtg. vote which established the Rec. Comm. states that the Comm. will be made up of more than 5 but less than 9 persons, and the Rec. Comm. asked that Mr. Dempster be re-appointed by the BOS, as he is a valuable volunteer and has served as CH for 6 years & V-CH for 3 years on the Comm. Mr. Shanahan stated that the reason he had not voted for Mr. Dempster's re-appt. was due to the fact that he was on the VPC also. Mr. Shanahan placed the name of William Dempster in nomination for re-appointment to the Rec. Comm, as Mr. Dempster has resigned from the VPC. Mr. Hart commented that if the Bd. changes the number of members on the RC, the public should be advised in order that other interested persons can apply. Mr. Lovering shares the same concerns re: Mr. Ayotte's position on the VPC, as he did for Mr. Dempster's. There were no other nominations - vote on Mr. Shanahan's nomination was as follows: three in favor, two opposed-Mr. Hart & Mr. Currier. The Sel. anticipate no policy change regarding the Rec. Comm. Mr. Lovering stated that at Town Mtg. there should be a clear understanding between both parties as to what the BOS support and

what the Rec. Comm. supports in view of the Selectmen's positions. Mr. Lovering further stated that the Rec. Comm. should not solicit nominees for the VPC as part of its charter.

Item 66 - corres. from Janet Lombard re: vacancy on Bd. of Assessors due to the resignation of Claude Harvey & request to meet with the BOS on Aug. 8 to jointly select a new assessor. The salary is \$3,983. This office has rec'd. one resume to date - Mr. Murphy requested that the Bd. interview interested applicants prior to the Aug. 8 mtg. If one or more members of the BOS would like to meet with an applicant, he should communicate this to the AA & a mtg. date can be arranged prior to the Aug. 8 meeting. The Bd. requested the press to publicize this vacancy.

Item 72 - corres. from Louis Rondeau re: lines on Westford Street - Mr. Murphy has determined that line painter is not a heavy duty piece of equipment - the model we have is consistent with the amount of money & the model the State gave to the other communities - the Bd. agreed to hold this item until Aug. 8 - Mr. Murphy would like to determine if they consider these vehicles acceptable for painting the roadways. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request clarification on the bid from the PA identifying the actual sts. that are to be considered for line painting.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the Chairman's Recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Currier informed the Bd. that the office is in receipt of a letter from Sen. Amick's staff requesting office space in the Town Hall to meet with residents once a month - the Bd. agreed to advise Sen. Amick that we will go along with her proposal and we would suggest that her office coordinate the details with the AA. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize the AA to deal with Sen. Amick's rep. regarding the above.

New Business

Chairman Currier spoke with Sen. Amick's office re: coordinating a district-wide meeting - Sel. Currier believes that Sen. Amick will be at the Sel. Aug. 8 mtg. to discuss this matter. The first mtg. may well be at our regular meeting for approx. ½ hour.

Mr. Murphy stated that approx. one month ago the BOS was asked to fill out a DPW Study Comm. questionnaire - the response was to have been coordinated & 1 response would be returned - the Bd. agreed to place this item on the Aug. 8 agenda for a Board vote on 1 answer for the DPWSC.

Mr. Murphy stated that a letter has gone out from this office asking Storch Eng. to update their plans for Central Square - Mr. Murphy understood that we would invite Storch to a Sel. Mtg. to discuss the plan & resolve the changes, and update any recommended changes, and to discuss funding. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to invite Storch Eng. to a Sel. Mtg. in the near future to resolve all of the above issues.

Mr. Murphy stated that one of the items discussed at the STM was additional funds for the Police Dept. motorcycle - the AA advised Mr. Murphy that the bid was awarded.

Mr. Murphy discussed the prices at which the Town rents office space in the Town Hall to the Water Dept. and to the Welfare Dept. The rental fees have not been adjusted for some time, and Mr. Murphy is not sure that there is a contract for same in the Town Acct's. Office, as required by law. The Bd. agreed to have the AA determine what the current rental fees are being paid for space by the Water Dept. & Welfare Dept., and have the AA determine what the commercial rental fee is at the present time in Town.

New Business
continued

Officer Bell informed Sel. Shanahan that the only business in Town which has agreed to enforce the no parking in fire lanes to date is the Chelmsford Mall- he is still awaiting word from a few other business offices.

At the Sel. Mtg. held July 11 Sel. Shanahan had indicated that there were reports that the residents of 101 High St. had violated a Cease & Desist Order mandated by the Bldg. Insp. - Mr. Shanahan stated that he has accompanied the BI to the residence in question, and it is the BI's opinion that there has been no violation of the Cease & Desist Order, although the neighbors believe that there has been a violation.

Mr. Lovering asked that the CETA Coord. furnish the Bd. with applicants for the Recycling Coord. who would fit the job descriptions.

On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to request the Police Chief for a review of the fines which exist in Town in terms of violations as discussed with Sgt. Adams earlier.

At this point in time the Bd. recessed for five minutes.

Mtg. with J.
Bell & R. Tripp
re: parking on
Parkerville Rd

A mtg. was held with John Bell & R. Tripp re: parking on Parkerville Road. Mr. Tripp feels that the cars which are parked in front of Mr. Bell's house cause a hazardous situation, as children walking by that area are forced to walk out into the road to get by. Mr. Bell stated that there is a curve near his home, and a hill, and he feels that the cars which are parked there helps deter accidents, as they cause cars to slow down in this area, although they may cause an inconvenience. Mr. Bell does not have a drive-way in his yard. The Bd. realized that this was an uncomfortable situation for Mr. Bell, as he is the Town's Safety Officer. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to advise the Police Chief to conduct an investigation of this matter and forward the Bd. with recommendations to alleviate the problem.

Mtg. with Sam
Sherman re:
Class II ADL
at 123 Prince-
ton St. (Prin-
ton Auto Sales
formerly)

A mtg. was held with Sam Sherman who requested a Class II Auto Dealer's License at 123 Princeton Street, where Edith Lohnes presently operates a Class II ADL under the name of Princeton Auto Sales, Inc. The restriction will remain at 30 vehicles - if Mr. Sherman would request more he would come before the BOS. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant the Class II Auto Dealer's License to Sam H. Sherman. The Chairman asked if anyone was present to speak in favor or in opposition to same - Hank McEnany spoke in favor of the granting of this license. Mrs. Lohnes will return her license to the Bd. of Selectmen's Office.

New Business
continued

Mr. Currier stated that at the last Sel. Mtg. he distributed a job description which was used in another Town for Chief of Police, as a guideline for a job description for Dep. Chief. The Bd. agreed to place the job des. on the agenda for Aug. 8 for a formal vote - if any Bd. member has any changes or additions, he should put them in writing before the Board's next mtg. for review.

At this point in time the Board recessed for 10 minutes.

Public Hearing
re: location of
salt storage
shed

At 8:30 PM a Public Hearing was held on the location of the Salt Storage Shed on Old North Road adjacent to the McCarthy Jr. High School. The AA met with Mr. Kenneth Tarbell from the State this morning to discuss the proposed location. He reviewed the specs. and could find no objections to the specs - the AA & Mr. Tarbell then met with the Hghy. Supt. Mr. Rondeau indicated that he would purchase 4,000 tons of salt in the course of a year, and 1,000 tons only would be stored in the shed itself - the rest would be mixed and left outside uncovered. Mr. Tarbell stated that we may run into some problems in the future, as it may become very costly to cover the salt. We would be only storing 1/3, the rest would be left uncovered outside for the remainder of the year. Mr. Rondeau stated that we could stockpile a small amount at a time, and replace it when it is gone.

Mr. Henry McEnaney, a Water Distr. Commissioner from North Chemsford's Water District was present and opposed the proposed location on behalf of the NCWD. They feel that the water will be contaminated in the wells by the salt. Mr. Lovering suggested that we buy the sand as we need it, the way we buy the salt, and mix it during the course of the winter as we plow - then it wouldn't get frozen. The Bd. agreed to table this item and try to obtain some additional information. We will ask the Hghy. Supt. to identify the costs incurred in moving sand from the Hghy. Garage to this area & building the pile. Mr. Tarbell informed the AA that as long as the salt was kept in the shed on an asphalt paving, it would meet his approval. Mr. Hart stated that the mixing of the salt & sand takes place out of the shed on asphalt. The Bd. agreed to forward a follow-up letter to Mr. Tarbell, based on the procedure outlined above of storing the salt in the facility and having an adjacent asphalt pad which would be for the periodic mixing with sand, and ask for his opinion with regard to that approach, at that location.

Public Hearing
re: location of
salt storage
shed
continued

At 8:45 PM a Public Hearing was held on the application of Charles Vrouhas, Hi-Way Farm Market, 259 Littleton Road, for an All Alcoholic Package Goods Store License. Atty. Vernon Fletcher was present and spoke in behalf of Mr. Vrouhas. At this point in time, Sel. Shanahan excused himself from this hearing, in accordance with his April 26 Point of Privilege re: liquor licenses. Atty. Fletcher presented the Bd. with an affidavit - all return receipts were received. Atty. Fletcher detailed Mr. Vrouhas' character, and stated that to his knowledge, no abutters are violently opposed to the granting of this license. Mr. Lovering corrected the Selectmen's Office copy of the plan of the premises by indicating that a solid wall exists between the supermarket & the package store. Chairman Currier asked if anyone was present in favor of the license. Mr. David Clark, 46 Garrison Road, stated that he is in favor because he feels that this is the only area of Town which does not have a package store (all alcoholic beverages). Ms. Joan Linehan, 270 Littleton Road, stated that she agrees with Mr. Clark. Mr. Currier asked if there was anyone present wishing to speak in opposition to the granting of this license - no one was present opposed. In summation, Atty. Fletcher reiterated Mr. Clark's comments - this is the only area in Town which does not have an all alcoholic beverage package goods store license. Mr. Murphy stated that in keeping with his last vote regarding this license, he would move to grant Charles Vrouhas, Hi-Way Farm Market, an all alcoholic beverage package goods store license - Mr. Murphy's motion failed for lack of a second. Mr. Lovering stated that he is not prepared to second Mr. Murphy's motion at this time because when the BOS considered liquor licenses the last time, the Bd. had adopted some procedures which allowed the Bd. to have an opportunity to review the entire liquor license situation from more than just one applicant's standpoint - because Mr. Lovering supported those procedures and felt that they were appropriate at that time, in all good conscience, Mr. Lovering would have to evaluate in his own mind, whether or not today he would have to give some credence to that process. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unanimously voted to take this matter under advisement in order to give the BOS an opportunity to evaluate that, and take a formal vote either in terms of denial or granting after the BOS have an opportunity to evaluate this. Mr. Currier read a letter from the ABCC which informed the Board that we must hear applicants who apply for licenses; however, the Bd. in its capacity as licensing authority has the discretionary power to grant or to disapprove the issuance of alcoholic beverage licenses within the Town. The Bd. will place this item on the Aug. 8 agenda.

Public Hearing
Hi-Way Farm
Market for an
All Alcoh. Pkg.
Goods Store
License, 259
Littleton Rd.

At this point in time, Sel. Shanahan^{re-}joined the meeting.

A mtg. was held at 9:15 PM with the following persons: CLRC-Mr. Polubinski; Mr. Firth; Mr. Neild; Rec.Comm.-Mr. Charpentier; Mr. Murphy; Mr. Peters; VPC-Mr. McManimon; Mr. Ayotte; Supt of Streets Louis Rondeau - Sgt. Adams had previously answered some questions posed earlier this evening by the BOS, therefore, he was excused from this meeting. Mr. Peter Dulchinos, CH of the Board of Health, was

Mtg. re: Crystal
Lake with BOH;
RecComm; VPC;
CLRC; Supt. of
Sts; Pol. Dept.
Rep.

detained and joined the mtg. in progress - he stated that after testing the water at Crystal Lake, the BOH determined that the lake was safe for swimming - the chlorine count was 200 parts per million - Commodore Foods alleged pollution is industrial waste and does not show in the tests. Re: the list of 16 items formulated regarding the lake some time ago, the results are as follows: The Aux. Police cannot patrol the beach area on the weekends; trash is being picked up when Mr. McManimon calls in a need for same; if beach is opened, NYC will be requested to clean up same; the HD will paint patrol lines by end of next week in the parking lot by the machine; two 'no parking' signs are still not replaced & will be put up; PD fines re: illegal parking will be increased to help curb illegal parking in the area; PD will be reminded to tag all illegally parked cars in beach passes; Harry Ayotte will forward schedule of games to BOS & PD; the HD has not yet posted 'warning of pollution' signs in the water; we have met with FS&T and are resolving problems re: DeMatteo; Rec.Comm. will provide lifeguard if the water is safe, which has not been done yet, Mr. Charpentier explained the reasons to the Bd. previously; the BOH will try to locate the leach field & advise the BOS of same prior to Aug. 8; Mr. Lovering feels that the lake could be considered as non-accredited, and then we would not be required to have mens & ladies rooms; the BOH is testing the water twice a week in July & August.

Mtg. re: Crystal Lake
continued

Garrow Pub. Hrn. recessed for a short period of time

Mtg. re: Crystal Lake
continued

At this point in time Chairman Currier opened the 9:35 Public Hearing - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to recess the hearing re: Arnold Garrow, Gasoline Storage License on Lot 2 - Progress Ave.

Mr. Lovering stated that we have to look to the BOH to aggressively follow up on problems regarding the lake - this was in regards to the Commodore Foods problem. On behalf of the VPC, Mr. McManimon feels that to open the lake would be putting the lives of the children in the Town in jeopardy. The Bd. was informed by a resident that the turtles which are surfacing now have been dead under the mud for two-three months. Mr. Ayotte shares Mr. McManimon's concerns. Mr. Charpentier suggested that the beach be put in order & that lifeguards should be provided to take care of the minimums of protection. Sel. Murphy stated that to trans. monies from one line item to another would require the BOS to go to the FinComm. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was voted 4 in favor, 1 opposed - Mr. Shanahan, to ask the FinComm. for a transfer of funds of the entire amount for lifeguards, and utilize that money to prepare the lake bottom while the water is down, for the beach with the idea of providing next year in the budget lifeguard support for the opening of the beach as of July 1, or some appropriate date, and the beach will be posted for 'no swimming' this summer. The Bd. asked that the press alert its readers of this motion. Mr. Charpentier asked if the Board would consider holding a portion of next year's funds for June for lifeguards, should the Lake be in proper order - Mr. Murphy amended his motion to include personnel in June until the next Fiscal Year.

Dog Hearing re: On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to open Georgoulis dogs the scheduled Dog Hearing re: dobermans owned by Fred Georgoulis at 9:45 PM and recessed for recess same until after the Garrow hearing.
short period of time

Mtg. re: Garrow Class II ADL, Lot 2, Progress Ave.

At 9:30 PM a mtg. was held with Atty. John Arenstam, Atty. for Arnold Garrow, for a Class II Auto Dealer's License for Buttonwood Motors, Lot 2, Progress Ave. for 16 cars - the Bd. of Appeals granted a variance for same. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four in favor, one present - Mr. Shanahan, to grant Mr. Garrow a Class II Auto Dealer's License on Lot 2, Progress Ave.

Public Hearing re: Garrow gas storage license Lot 2, Progress Ave.

At 9:45 PM a Public Hearing was held with Arnold Garrow, represented by Atty. John Arenstam, for a Gasoline Storage License for Lot 2, Progress Avenue/ 16,000 gallons of gasoline & waste oil - the Fire Chief has approved same. The Bd. asked that Mr. Garrow sell the gasoline on a limited basis for retail sales only - and not to sell gas as a side business - On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted four in favor, one present - Mr. Shanahan, to grant Arnold Garrow a gasoline storage license at this location, with limited retail sales to vehicles he is repairing only.

At 9:45 PM a Dog Hearing was scheduled re: two Doberman Pinschers owned by Mr. Fred Georgoulis, 9 Abbott Lane. Mr. Currier swore-in several neighbors of Mr. Georgoulis who gave testimony, and who requested this hearing approx. two weeks ago. Mr. Georgoulis was represented by Atty. Stephen Themelis of Lowell. The Bd. was in receipt of letters regarding these dogs from Mr. Gerald Greska; Mr. & Mrs. L. James Glinos; Mr. Ernest Archambault; and Mr. Ira Reimer - all of Abbott Lane. The Bd. was also in receipt of a report from Dog Officer Frank Wojtas, which informed the Board that 'the dogs are tied and I have not seen them off their property. I have been there 4 times on calls, and occasionally ride by to see if the dogs are loose. The Asst. Dog Officer has been up there several times & Mrs. Georgoulis said they were going to build a fenced in yard for the dogs. I think if they keep the dogs they should be in a fenced in yard, which they are in the process of building' (sic). Another letter was received from Mr. & Mrs. Walter Bujnowski, which Mr. Greska gave to Mr. Currier, as the Bujnowskis could not be present - it stated that the dogs are cruel & vicious, and are a threat to children & other animals in the area - the Bujnowskis felt that the Georgoulis' should not be allowed to keep the dogs. A letter was received from the Town Clerk's Office on July 12, in response to a memo forwarded to that office on July 12 by the Selectmen's Office which stated that the dogs have not been licensed by the Town Clerk's Office. Mr. Ernest Archambault, 5 Abbott Lane, stated that on numerous occasions the dogs have been loose and terrified his daughter. He reviewed an incident which he had included in his letter to the BOS whereby the dog terrified his daughter. Mrs. Archambault stated that last June while walking with a friend on Abbott Lane the dog was loose at approx. 8:30 PM and she was afraid of the dog - a young man came and called the dog and the dog left. Mr. Gerald Greska, 11 Abbott Lane stated that in July of 1976 he requested the Dog Officer to do something about the dogs' continuous barking. He further stated that the dogs are snapping, and several times he has had to take his children, and other children, into his house, because the dogs stop dead and wait for something to move. Mr. Greska stated that neighbors have guns, clubs, bats, and axes behind their doors. Mr. Greska feels that their lives are in direct threat by the dogs, and his children cannot sleep with the barking of the dogs. Mr. Reimer, 13 Abbott Lane reiterated comments in his letter to the Board whereby the dogs tore his screen & antagonized his three dogs. He has seen the dogs racing around the neighborhood, and has seen the dog, on no less than 3 occasions, come into his yard. Mr. Reimer stated that the dog has been barking since the Georgoulis' moved there. Mr. Reimer feels that the owners of the dogs should try to restrain them permanently. Mr. Glinos, 12 Abbott Lane, stated that he has been living on Abbott Lane for 18 years and he does not know of any of his neighbors who have dogs for security, as do the Georgoulis'. Mr. Glinos stated that if the fence which the Dog Officer will be built to hold the dogs in is the one that is up now, it will not hold the dogs. Mr. Glinos further stated that he is scared to death of what will happen if he runs out of his house and one of the dogs is loose, and he feels that the Georgoulis' are extremely insensitive to the feelings of the neighborhood - Mr. Glinos thinks that the dogs should be permanently restrained. Mr. Paul Cox, 7 Abbott Lane, stated that he recalls one occasion on which he was not allowed to get out of his car because the dog was right there - also, Mr. Cox stated that he has been hospitalized twice for coronary problems, and he does not want a third coronary - he feels that the dog does cause problems. Atty. Themelis addressed the Board on behalf of Mr. Georgoulis - he stated that he has heard from the residents that the dogs looked vicious - he has not heard of an instance when the dogs attacked anyone - they appear vicious. Mr. Georgoulis presented the Bd. with a letter from Anne Hood, groomer of the larger dog, Ulysses, which stated 'I have been grooming Ulysses for a little over a year. He been nothing but gentle to me & my husband & children. If you want call me & I'll verify what I said is true' (sic), signed Anne Hood. Mr. Georgoulis also showed the Bd. a photograph of the dog with his child. He informed the Bd. that he paid \$800 for Ulysses, who is trained. The other dog is untrained (for obedience commands). Mr. Georgoulis showed the Board a

Dog Hearing
re: 2 Doberman
Pinschers
owned by Fred
Georgoulis,
Abbott Lane

Georgoulis
Dog Hearing
continued

chain to which the dogs are now leashed, which is 18 feet and weighs 45 lbs. The Bd. was informed that the dogs were licensed in the Town Clerk's Office on July 22. Mr. Georgoulis stated that since he purchased the new chain, the dogs have not been loose, at any time - he thought that the leash law was for 24 hours per day - the dogs have never bitten anybody, or jumped on anyone & knocked them down. Mr. Georgoulis stated that the dogs are put outside for an hour in the morning, an hour in the afternoon and for an hour in the evening. Mr. Georgoulis stated that he had an attempted break into his home, and a CB radio was stolen from his car - on both occasions the dogs were not at home. This is the reason he has the dogs - protection. The Chelmsford Dog Officer boards one of his dogs when he is away, and his parents board the other dog. Mr. Georgoulis stated that he has commenced construction on the fence; however, he does not intend that to be a 24-per day housing for the dogs. The pen would be strictly for the dogs at an hour at a time - Mr. Georgoulis feels that the chain is more than adequate to restrain the dogs. Dog Officer Frank Wojtas stated that Mr. Georgoulis' mother & brother were caring for the dogs while Mr. & Mrs. Georgoulis were away, and they asked Mr. Wojtas if he could do something with the dogs - the Dog Officer felt that something had to be done with the dogs - he took one of them & Mr. Georgoulis' mother took the other dog. Mr. Wojtas stated that the dogs could be vicious, as they growl and they run. In response to a question from Sel. Murphy, Mr. Georgoulis stated that the dog is obedience trained, and trained to protect, that is, if someone approaches Mr. Georgoulis' home, the dog will bark. There is no attack command. Mr. Georgoulis informed the Board that he licensed the dogs on July 22 - previously the dogs had been registered in Lowell. Mr. Georgoulis informed the Bd. that he is in the process of constructing an 8 foot kennel-he reiterated that he is not building the kennel with the idea that his dogs will be placed in it each time he puts them outside. Mr. Georgoulis has had the dogs on the new chain for over a month, he stated, and during that time they did not get loose - the neighbors raised their hands and stated that the dogs had been loose during the past month, but not during the past two weeks, as they were not at home. Mrs. Greska was sworn in at this time and stated that Mr. Bujnowski's grandson was staying with him and the black doberman jumped on the child and knocked him down - Mrs. Greska saw this happen, and the child received several bruises - she also informed the Bd. that on another occasion last summer while her son was riding his bike, the same dog came after him and was grabbing at his ankles - on that occasion Mr. Greska called Mr. Georgoulis-- Mr. Glinos informed the Bd. that he witnessed this incident, he further stated that approx. one month ago while sitting in his front room he notices several young children peddling along on their bicycles, and one of the dogs came charging at a child. Mr. Glinos raced out of his house in an attempt to shout at the dog to distract him from the children, and this worked as the dog ran away. Mr. Glinos said that this could have quite a psychological trauma on a young child when he is being chased. Mr. Greska stated that Mr. Georgoulis is not aware of the hours that the dogs are loose, because he works very long hours, in some instances he is gone from 9AM to 11PM. Mr. Paul Cox^{Jr}, 7th Abbott Lane, stated that he has seen the dog loose, and spoken to Mr. Georgoulis' brother about this and Mr. Georgoulis' brother stated that if the dog saw a small child running by with a stick in his hand, that would be enough to provoke the dog. Mr. Georgoulis stated that on one occasion, one of his neighbors came after the dog with a shovel, and the dog retreated - Mr. Archambault was the neighbor, and he stated that he was in his garden working and two children were walking by when the dog chased them around a volkswagon, so to protect the children, Mr. Archambault tried to use the shovel, but at that time, the dog saw him and retreated. Mr. Archambault stated that if the dog had attacked, he was willing to use the shovel to attack the dog. Mr. Currier stated that he would be willing to form an agreement whereby the dogs would be chained for 24 hours per day and be on a choker collar and be allowed to bark not more than 2-3 minutes.

In closing, Mr. Glinos asked who would be accountable if the dog barked after the 3 minutes - Mr. Georgoulis would be accountable & responsible, as he is the owner, if he is not home, the Dog Officer should be telephoned, and if necessary, another hearing can be held & the dogs will be removed. In summary, Atty. Themelis stated that Mr. Georgoulis does not want any problem with his neighbors, and he will do anything within reason to solve the problem. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to allow the owner of the dogs, Mr. Georgoulis, forty-five (45) days to have both animals removed from the community of Chelmsford; and the BOS will instruct the Dog Officer to check at the end of that 45-day period to determine that the dogs have been removed, and if they have not, we will instruct Town Counsel to go to Court to take the appropriate legal action to enforce the vote. Mr. Shanahan stated that he does not believe that any evidence was indicated tonight that the dogs ^{were} physically violent, but he feels that the neighbors should not be subjected to the dogs. Atty. Themelis, on behalf of his client Mr. Georgoulis, informed the Board that they would appeal the decision of the Board.

Georgoulis
Dog Hearing
continued

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting adjourned at 11:00 PM.

For the Board of Selectmen, by

Bonita Love

Meeting
Adjourned

Regular Meeting of the Board of Selectmen held August 3, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; and Mr. Hart. Mr. Lovering was out of Town on business. Mrs. Haines, AA, was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Members
Present

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the minutes of the Selectmen's Meeting held July 25, 1977.

Minutes
Approved

A presentation was made by Walter Wilkins, President of the Chelmsford Business Association to Selectman William R. Murphy for his election as President of the Mass. League of Cities & Towns for 1976-1977. The Business Assoc. presented Sel. Murphy with a plaque to commemorate this occasion.

Sel. Murphy
presented
plaque by
CBA for ser-
vice as Pres.
of MLC&T

Sel. Hart reported on a mtg. held last Saturday at Crystal Lake with three members of the Board and Tom Gustenhoven of DeMatteo Constr. Co. Mr. Hart stated that DeMatteo Constr. Co. has now completed their part of the contract for work at the Lake; however, some more materials still have to be removed from the center of the Lake. Mr. Hart suggested that we ask DeMatteo to send the BOS another Change Work Order & explain to us how they would go about doing work - they should send a copy of this to FS&T & the BOS, and after the BOS review same they can determine whether or not they will go along with the Change Work Order. The AA can work with Town Counsel & FS&T to make sure that we can still get reimbursed by the State for the funds we will expend for same. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was voted three in favor, one opposed-Mr. Murphy, to request DeMatteo Constr. Co. to forward a proposal to FS&T & the BOS for a Change Work Order which the Board can review and discuss upon receipt of same.

Board
Reports

Sealed Bids were scheduled to be opened at 7:45 PM for Recording Devices for the Police Cruisers, however, no bids were received. The AA informed the Bd. that only one firm manufactures these devices - the PA will contact the firm again in hopes of receiving a bid for same. The AA will open the bids during the day and the Bd. will be advised of same.

Bid Opening

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint the following persons to the following positions in the Town of Chelmsford:

Unfinished
Business

Unfinished
Business
continued

Under the CETA Program: a) Academic Teacher-NVTHS, pending approval by the NVTHS Comm. at their 8/9/77 mtg. - Martin Connors, Gay St. \$183.90; b) School Security - John Hernandez, 11 Sycamore St; Ronald Knox, 13 Princess Ave-\$163.46; c) Council on Aging Van Driver-Claudia Morrison, 3 Paillet Dr.-\$161.16; d) Clerks for Sel. Office-Alice Poirier, 9 Anna St; Roberta Livingston, 24 Chestnut Hill Rd.-\$134.47; e) Community Relations Coord. for Police Dept. Walter Kelley, 10 Belmont Dr.-\$176.07; f) Laborer-Hghy. Dept. Joseph Clark, 164 Dalton Road-\$164; g) Laborer-Cemetery Dept. Bryce Carlin, 71 Middlesex Street-\$163.07 - 4 Town Employees as Laborers in the Hghy. Dept. - \$164 per week: William Hoey; Arthur Rassias; Edward Whitworth; James Reid; Re-appointments of SHARE reps: Donald Butler; Edward Fallon; Alternate-Marian Yonge.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the Duties & Qualifications as identified in the sample for Chelmsford's position of Deputy Police Chief from the Town of Plymouth, and add the duties which Mr. Murphy requested be added - the AA will form a composite of the duties & qualifications for the Board's review. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted three in favor, one opposed-Mr. Shanahan, to have the examination for the position of full-time Deputy Police Chief open and competitive, and oral & written. Mr. Shanahan stated that he feels that the examination should be from within the Chelms. Police Dept., as we have many qualified men in our own Dept. to fill this position.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to narrow down the list of firms to be interviewed for the Police Dept. evaluation to the following firms: 1) Touche Ross & Co; 2) Charles Evans Assoc; and 3) Robert Sheehan Associates - the AA will telephone the firms and the interviews will be conducted on August 15 at 7:30 PM.

The Bd. discussed the DPW Questionnaire & Board response for same - Mr. Murphy's response will be left in the signature folder and other Board members can add their comments to same - Sel. Currier will telephone Sel. Murphy on Friday morning if there are any additions to his response.

Corres. Sum.

Item 2 - corres. from MLC&T re: opinion survey report conducted re: state/local government finances, etc. - Mr. Murphy informed the Board just what this survey would entail, and he stated that with regards to this item, as well as item 5, he, as Pres. of the MLC&T would not vote on these pieces of correspondence. After discussion, on item 2 there was no change to the AA's recommendation to advise the writer that we do not have funds available to order the survey at the cost of \$350; on item 5 we will advise the writer that at the present time that we do not have funds available, however, funds may be available in next year's budget and we will keep their request in mind if funds should become available.

Mtg. with ISF
re: Art. 51

A mtg. was held with the Insurance Sinking Fund re: article 51 of the 1977 ATMW to abolish the Sinking Fund. Members present were: Mr. House, Mr. Reynolds; & Mr. Green. The Town Acct. had forwarded the Bd. with a memo which stated that if the bonds were sold now, there would be a \$10,000 to \$12,000 loss - if they are held to maturity, there will be \$73,125 interest income. The Ins. Sinking Fund can be held in the custody of the Town Treasurer. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to file Legislation to abolish the Ins. Sinking Fund and place funds for same in the custody of the Town Treas. We will forward a copy of the proposed legis. to the ISF when same has been developed. The Sel. Office will request the ISF & IAC to meet in the near future in order that both groups can discuss items of interest to both groups. The ISF will discuss with Rep. Freeman the wording of the bill, etc. Two members of the ISF are not completely in favor of abolishing the ISF - Mr. House is the only member in favor of this.

Unfin. Bus.
continued

Mr. Lovering had requested a hold on discussion re: Hi-Way Farm Market liquor license - the Bd. agreed to place this item under unfin. bus. on the 8/22/77 agenda.

Item 4 - corres. from Chief Reid re: smoke detectors - Mr. Murphy stated that he thinks that Chief Reid mis-interpreted our question regarding the detectors - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Chief Reid 'will he participate in a program designed to offer smoke detectors to the residents of the Town of Chelmsford at a reduced rate, if possible.'

Item 9 - corres. from James Harrington re: Conflict of Interest on Ins. Adv.Comm. - the Bd., on a motion by Mr. Murphy, seconded by Mr. Shanahan, unan. voted to change the recommendation as follows: Ins. Adv. Comm. to complete forms & return same to Town Counsel within two weeks time.

Item 22 - corres. from Fair Service Co. re: voluntary programs in which local governments can avail themselves of a pooled investment activity - no change to the AA's recommendation, but we will also forward a copy of same to the FinComm.

Item 27 - corres. from Dr. Rivard re: School Comm's. interest in Student Government Day - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Simonean that we have received a favorable response from all 5 depts. questioned (BOH; BOS; School Comm; FinComm. & Plan. Bd) we will advise him that each of these depts. will participate in the program, and we await further instructions from him regarding Student Government Day - Mr. Murphy was chosen as the Selectmen's Liason - we will also advise Mr. Simonean of this.

Item 30 - corres. from Thomas Morris to Bd. of Health re: Varney Playground & bathhouse & location of septic system - the Bd. agreed to advise the VPC that we will allow the use of the Hghy. Dept. backhoe to try to locate the septic system - on a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to notify the BOH that we are willing to proceed with trying to locate the septic system with the use of a HD backhoe.

Item 38 - corres. from Chief Germann listing 5 persons whom he suggests the Bd. consider for appt. as acting sgt. until such time as an examination can be taken for a permanent position - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Chief Germann to make a recommendation to the Board for this appointment.

Item 40 - corres. from John McGeown, Sanitary Landfill Analyst re: misuse of landfill - the Bd. agreed to hold and place this item on the Agenda for the Sel. Mtg. on 8/22/77 under Unfin. Bus. until the matter can be further resolved - we will forward copies of items 39 & 40 to the Lowell Sportsmen's Club - item 39 has already been forwarded to Mr. McLain.

Item 49 - corres. from Charles Mistretta re: Drum Hill Rotary - Mr. Murphy stated that our corres. to Mr. Mistretta regarding the conditions at the rotary should have been considered as a new request to sweep the area and replace the signs - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Mr. Mistretta to re-address the issue and forward the Bd. with a response on same.

Item 52 - re: corres. from Mr. & Mrs. C.J. Choquette, 12 Longmeadow Road re: performance of the Police Chief; duties of the FinComm; duties of the moderator; & the school budget. Sel. Currier commented that although the Choquettes suggested that a poll should be taken of the Townspeople re: do they have confidence in the Chief of Police, this would not be practical, as the question is not determined by the popularity of the person involved; he does not feel that the Moderator has excessive powers - Mr. Murphy stated that the duties of the School Bldg. Comm. are shared, and that if these persons want to see any changes in Town Government, they should submit an article(s) for the next ATMW outlining same or requesting a charter ^{to} change the form of our government - Mr. Shanahan concurred with the comments of Mr. Currier & Mr. Murphy, as did Mr. Hart. The AA will forward the Bd's response to the Choquettes.

Corres. Sum.
continued

Item 57 - mailgram from John Gunther of the Nat'l. League of Cities & Towns re: support for HRS444 - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take no action on this request for support of HRS444-energy bill, at the present time.

Mtg. with P.
Berry postponed

The 3:15 PM Mtg. with Peter Berry of New England Tel. Co. was postponed until further notice, as Mr. Berry could not be available at this time.

Mtg. with J.
Paul Bienvenu
re: services
to Town

A mtg. was held at 8:30 PM with J. Paul Bienvenu, Consultant to the HD re: services to the Town. Mr. Murphy was concerned that at the Town Meeting the Town should be assured of the opinions of the Consultant to the HD on behalf of the Town - Mr. Bienvenu assured the Board that he watches his opinions very carefully for conflict of interest, and is always available to offer advice on behalf of the Town at Town Meeting. Mr. Bienvenu informed the Bd. that with regard to the aerial photography - one set of benchmarks should also be forwarded to the Bd. of Health for their info.

Corres. Sum.
continued

Item 60 - corres. from John Balco re: Local Growth Policy Committee - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to notify NMAC that we have not forgotten the fact that we do not concur with their policy statement - we will send a copy of this corres. to Mr. Balco.

Item 63 - corres. from Louis Rondeau re: paint striper machine purchased through the Governor's Hghy. Safety Program - the paint striper is being used by the HD - Mr. Murphy informed the Bd. that two reps. from the State met with the Supt. of Streets and instructed a member of the HD on how to use the paint striper - the Bd. will forward a letter of thanks to these gentlemen for their help, they also stated that they would forward an updated manual on use of the striper to the Hghy. Supt. This action was a result of a Boston Globe article which stated that the paint striper was a 'white elephant' - some State officials read the article and sent reps. from their office to Chelmsford to determine if there was a problem with the machine. The Bd. agreed to forward a letter of explanation of the above to Mr. Colleton and to the author of the Boston Globe article.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's. recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Include date
corres. rec'd.
in Sel. Office
on Corres.
Summary

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to include the date on which corres. is received in this office on the corres. summary in the future for reference.

Mtg. with
American &
Medic Ambu-
lance Ser-
vices re:
service to
Town & elim-
ination of
subsidy

A mtg. was held at 9PM with reps. of American Ambulance-Ronald Pick, and with Medic Ambulance Service, Inc.-Raymond Gourdeau & Chester Kelly to discuss alternate summoning of each service in a fair and impartial manner, and to discuss elimination of any subsidy. Sel. Currier asked each firm's rep. if the firm would service the Town without a subsidy - Mr. Pick said no; Mr. Gourdeau stated that he would for \$1 per year. Both firms' service is for 24 hours a day - 7 days a week. Mr. Currier asked each firm if their own firm were not awarded the contract, but if there was a disaster in Town, would their firm be willing to aid the Town of Chelmsford in a disaster situation - Mr. Pick stated that his firm would not as he could not afford to help the Town; Mr. Gourdeau stated that his firm would help the Town in a disaster situation, and he further stated that his firm has helped in the past in such situations. Mr. Shanahan asked each firm to reiterate their response to this last statement, which they did. Mr. Murphy stated that on the basis of the Board's action over the past two years, ~~he does not want to go through another bid process for ambulance coverage for the Town,~~ and at budget time next year the Bd. should go on record indicating this. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to accept the services of Medic Amb. Service, Inc., in the amount of \$1 as a retainer for the year, under the existing regulations for service. At this time the AA telephoned the Police Dept. to advise them of this vote.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a letter of thanks to the Elks for their splendid fire works display over the Fourth of July at their own expense.

Mr. Murphy informed the Bd. that after the May 9 storm there was quite a bit of debris left by the National Guard near the grounds of the McFarlin School near the L.L. Field, and after the burning in the Chelms. Water Dist. property in No. Chelmsford. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request the HD to remove the debris near the McFarlin School May 9 storm, and request that the HD bulldoze the area of the parking lot, to level it, incidental to the clean up at that location.

Mr. Murphy commented that the sidewalks on Graniteville Road and North Road have not been completely finished off - Mr. Murphy noted that in some areas between the sidewalks and roadway, there are potholes in the pavement, and there should be some grass planted along the sidewalks - someone should finish the job off completely - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to correspond with the Hghy. Supt. to determine whose responsibility it is to complete the sidewalks.

Mr. Shanahan congratulated the Lowell Sun and the Chelmsford Newsweekly on their coverage of the last Selectmen's Meeting concerning the dangers of using Crystal Lake without supervision, as the Board had asked them to alert the public of same.

At 9:30 PM a meeting was held with Representative Edward LeLacheur re: legisla- 9:30 PM Mtg.
tion. Rep. LeLacheur apologized to the Board for not being able to meet with with Rep. Ed
the Board in the past few months as requested, and he explained that his schedu LeLacheur re:
was in conflict with the meetings. He also explained that he represents 12 pre- Legislation
cincts in Lowell and 2 precincts in Chelmsford, and often times when he is making
decisions affecting Legislation, he acts in a manner in which he feels will be
best for the majority of his constituents. Mr. Currier informed him that the
Board prefers to meet with its representatives face to face, rather than working
through letters in the mail, etc., once or twice a year to discuss major issues.
Mr. Murphy requested that Rep. LeLacheur try to determine where HB 3640 is -
he requested that he try to get it out of House Rules - it deals with cost im-
pact associated with all legislation filed & what the costs will be to the com-
munities; Mr. Murphy also stated that with regard to unemployment compensation,
there may be problems on the horizon - if it is extended to include all municip-
al employees; Mr. Murphy was also concerned that no one has determined how
much the extension of OSHA will cost - the municipal feeling is that the money
would be better spent on training programs for personnel-OSHA should be tailored
for Mass.; Rep. LeLacheur stated that he is in favor of local control and will not
support it; Rep. LeLacheur will forward this office a copy of legislation he of on-premise
has filed this past year which would effect Chelmsford. He plans to file Legis- signs,
lation re: sales tax on mopeds bought in New Hampshire by persons residing in
Mass., who have the mopeds serviced in Mass. - he is concerned that there are
no safety requirements for same, etc. Mr. Murphy stated that the purpose of the
final & binding arbitration law was to encourage bargaining - he feels that on
such an important issue as this, we should have received an answer from Rep.
LeLacheur on his feelings on that law - is it working and does it make sense to
continue it, etc.

Mr. Hart commented on Item 52 of the Corres. Sum. which referred to the per- New Business
formance of the Chief of Police Robert E. Germann. Mr. Hart stated that he feels continued
that Chief Germann has the hardest job in the Town, being the Chief of Police,
in a town this size. Mr. Hart stated that over the years, he feels that Chief
Germann has done an excellent job as Chief, although he does not give his over-
all approval to some of the Chief's actions, he feels that he has done a good
job, and he hopes that the Chief will continue to do a good job. Mr. Shanahan

New Business
continued

concurred with everything Mr. Hart said, and he endorsed his comments. Mr. Shanahan stated that he will not join the other two members of the Board of Selectmen in their efforts and interest in looking into the possibility of having the Chief removed from his position.

Mr. Currier discussed the court matter re: Mr. Prevenas and his pigeons. Mr. Currier feels that the case should be not brought into court for a trial. Mr. Murphy stated that the Bd. did not issue the investigation into the matter, the neighbors did - he also stated that it was Town Counsel's opinion to continue to pursue the matter through the courts. Mr. Shanahan stated that there are issues to be heard from both sides which the courts wish to look into. Mr. Shanahan suggested that at some point in time the Board sit down with Town Counsel and determine if there might be some action we might take towards dismissing some cases - he feels that often times the taxpayer comes before the Board to have a problem solved, rather than seeking the services of a private attorney - we should draw up some priorities in the future - we should state what types of cases the Town will handle in the best interest of the Town - Mr. Murphy stated that he feels that he would like to see a policy including the above drawn up at some point in time for the Board's support. The Bd. will continue to pursue the Prevenas case in court.

Mr. Currier stated that with regard to the drainage problem on Janet Road, there has been a hold-up in the project by the Cons. Comm., as they are scheduling a hearing on the placing of the pipe in the ground. Mr. Currier stated that the hole in the area presents a grave safety hazard to children in the neighborhood. Mr. Currier stated that the delay caused by the Cons. Comm. merely puts a cog in the works, and any further delay is pure negligence. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to request the Chairman of the Cons. Comm. to attend the next Selectmen's Meeting to explain to the BOS why a hearing is required in this case, as the matter only concerns the replacement of a pipe - the Bd. will also ask the Chairman of the Cons. Comm. if every time a pipe of this nature has to be replaced, will a hearing be required for same.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:00 PM.

For the Board of Selectmen, by

Bonita Price

Jurors
Drawn

Jurors drawn by Sel. Currier on Aug. 12 were as follows: Cambridge-Irene Deware, 5 Gelding Road; Lucy Evans, 15 Porter Rd; Francis Maloney, 12 Laredo Dr; Arthur Clough, 6 Pecos Circle - Lowell; Sharon McGrath, 140 Dalton Road.

Members
Present

Regular Meeting of the Board of Selectmen held August 22, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, AA, was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Minutes
Held

The Board held on the acceptance of the minutes of the August 8 Selectmen's Meeting, as there were two corrections to be made.

Unfinished
Business

Mr. Currier reported that last Monday the Board interviewed 3 firms for the Police Dept. Evaluation - selection will be made later this evening.

Mtg. with E.
Williams re:
NMRRP

A mtg. was held at 7:30 with Elizabeth Williams of the Bureau of Solid Waste Disposal. Mr. Jack Albis was also present from the BSWD. They discussed the Northeastern Massachusetts Resource Recovery Project and encouraged Chelmsford's participation in the Project. Ms. Williams gave the Board a brief presentation of the concepts of the Project. The facility will process solid waste - it provides communities in NE Mass. with environmentally sound disposal. If the facility processes 300,000 tons per day the disposal fee will be approx. \$5-\$6 per day.

The final parts of the project will be worked on by the member communities - i.e. concept of transportation sharing, and the contract by UOP (Universal Oil Products, Inc.) which will begin in the Fall of 1977, and which could be ratified at Town Meeting, if we choose to join the project. Ms. Williams requested that we review the contract in the Fall. It was suggested that John McGeown, Sanitary Landfill Analyst, attend the NEMRRP meetings. Mr. Lovering stated that if we are successful in implementing the mandatory recycling program, Chelmsford may be able to achieve outside sale of up to 50% of the volume, so in the planning process, Chelmsford's long term use should be considered at 30 tons, as opposed to the current 50 tons which is being used. Mr. Lovering stated that the Board is not opposed to joining the Project - we would like to review, very carefully, the contract. Ms. Williams stated that she will get back to the BOS in the Fall to review the proposed contract. Towns & cities will not be penalized for not entering the project at Phase I.

Mtg. with E.
Williams
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint the following persons to the following positions under the CETA Program: School Security - \$163.46 per week - David Garrigan, 19 Monmouth St; Rita McLeon, 25 Sierra Drive; James Mahoney, 5 Blaisdell Rd; Edward McAndrews, 218 Chelmsford St; Charles Jangraw, 43 Westford St; Energy Coordinator-\$165.72 per week - Roy Thi-beault, 9 Pendleton Road; Conservation Asst.-\$165.72 per week - William Pestana, Manning Road; Recycling Coordinator-\$172.41 per week - Walter McNamara, 174 North Road.

Unfinished
Business
continued

The Bd. agreed to hold on appt. of Precinct Workers until Sept. 6, 1977.

Re: selection of a firm to perform the evaluation of the Police Dept., in accordance with Town Mtg. action (1977) - three firms were interviewed and the Board was polled as follows with regard to selection of one firm to be interviewed again to discuss fees and a final proposal - all 3 firms were considered in nomination and Chairman Currier closed nominations: Mr. Murphy-Robert Sheehan Associates; Mr. Shanahan-Robert Sheehan Associates; Mr. Lovering-Robert Sheehan Associates; Mr. Hart-Robert Sheehan Associates; Mr. Currier-Robert Sheehan Associates - Robert Sheehan Associates was unan. voted to be interviewed once again as indicated above.

The Bd. agreed to hold on appointment to the MCAB Rotberg Study Committee.

The Bd. discussed the Town Planner's attendance at the Planning Board meetings. His attendance at the meetings is voluntary; however, the BOS feel that he should not have to attend all PB mtgs., nor should he receive overtime pay or time off for attendance at the mtgs. Mr. Currier feels that if the BOS want the TP to attend a PB mtg., he should attend, but on the whole, Mr. Currier does not support this concept. Mr. Lovering said that there should be some type of a liason and we should ask Mr. Carney and Mr. Raab to work out the mechanics of this and get back to us with their recommendations. The Bd. agreed to leave a letter in the signature folder regarding the above for the Board's approval to be forwarded to the Planning Bd. and Mr. Carney.

At this point in time the Board discussed the application of the Hi-Way Farm Market, 259 Littleton Road, for an All Alcoholic Retail Package Goods Store. Mr. Murphy indicated two weeks ago that he was willing to support issuance of this license, consistent with his previous position, and he will again, this evening, support issuance of the license. Mr. Murphy moved the granting of the issuance of the All Alcoholic Retail Package Goods Store License to Charles Vrouhas, d/b/a Hi-Way Farm Market - Mr. Lovering seconded this motion. Mr. Shanahan stated that as has been his previous practice, he will be forced to abstain from this particular application - he has previously indicated the reason for his abstention (April 26 Meeting) is the Conflict of Interest Law - a member of his immediate

Hi-Way Farm
Market All
Alcoholic Pkg
Store License
failed-lack
of a majority
vote:2-2

Hi-Way Farm
Market
continued

family is in the wholesale liquor business. Mr. Shanahan indicated that while he can't vote on this issue, he feels very strongly that the evidence presented is very strong, and he feels that it is fitting that the only license of this type available in this Community should be awarded to this applicant. Mr. Shanahan stated that while he cannot vote because of the Conflict of Interest Law, he would like to make it very clear that he, as an individual member of the Board of Selectmen, thinks that the applicant does warrant the issuance. Mr. Lovering commented that he feels that if any Board member disqualifies himself from voting on an issue for a reason, such as Mr. Shanahan has, Mr. Lovering feels that that Board member should also be disqualified from narration as it relates to the merit of the issue. Mr. Lovering further stated that he understands Mr. Shanahan's disqualification, but he does not feel that Mr. Shanahan's remarks are appropriate. Mr. Currier stated that he will vote against the motion to be consistent with his feeling that we don't need any additional package stores in the Town. Mr. Currier feels that the case as presented for a liquor store in this location does not justify issuance of a license at this time. Mr. Currier then put Mr. Murphy's motion to a vote as follows: Two in favor - Mr. Murphy and Mr. Lovering, two opposed - Mr. Hart and Mr. Currier - the motion failed for lack of a majority as the vote was two to two. Mr. Shanahan stated that he would like to point out the reason he made his previous comments - subsequent to this meeting people have come forward and asked him what his views were on this particular applicant - he feels that this is an application of significance, and the public has a right to know where he stands on this issue. Mr. Currier stated that he had previously indicated his reasons for denial earlier in the meeting - Mr. Hart stated that he does not see a need for issuance of a license in this area at this time.

Papa Gino's
Wine & Malt
Restaurant
License
denied

The Board then discussed the application of Papa Gino's for a Wine and Malt Restaurant License at 29 Chelmsford Street. Mr. Murphy stated that the Board is in receipt of correspondence from All Saint's Church indicating their opposition to the granting of this license, and in accordance with the statute, the Board has no choice other than to deny the issuance of the license. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four in favor, one abstention-Mr. Shanahan (in accordance with his April 26 point of privilege), to deny the issuance of a Wine & Malt Restaurant License to Papa Gino's at 29 Chelmsford Street.

Mtg. with J.
P. Rivard for
Class II ADL
at 22 Prog-
ress Ave.

A meeting was held with Joseph P. Rivard and his Attorney Daniel Ruderman re: application for a Class II Auto Dealer's license at 22 Progress Avenue. Mr. Rivard has been engaged in a trucking business in the Greater Lowell/Chelmsford area and for the past 7 years he has been in the trucking business at 22 Progress Avenue - as of last December he was no longer in that business - he has sold all of the trucks which he had and is now requesting the sale of trucks as his principle business. Mr. Rivard rec'd. a variance from the BOA on May 26 for this location. Atty. Ruderman pointed out that the application should read J.P. Rivard Trucking Company, Inc./Rivard Bros., Inc. The business will be principally used tractor trailer trucks-the operation will run approx. from 10AM to 6:30 PM. Business will be restricted to 40 units of trucks only. Business will be closed on Sundays. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant the Class II ADL to J.P. Rivard Trucking Co., Inc./Rivard Bros., Inc. with a restriction of 40 units of trucks only (no autos).

instrumentation

The Bd. has not rec'd. a recommendation for award of the Police Cruisers' to date.

Corres. Sum.

Item 16 - corres. from Dir. of Accts. re: Free Cash - deficit of \$62,150.73 - the Bd. agreed to request a report from the Town Acct. explaining why we have a deficit.

Item 27 - Board discussion re: HRAC letter re: appointment of an Animal Violation Panel to handle dog hearings, etc. The Bd. agreed to advise the HRAC that the BOS feel that we should continue with our present procedures of Dog Hearings by the BOS - we will thank them for their suggestions and comments. The Bd. feels that the present procedures are quite effective, in view of the fact that we only have a minimal number of these hearings per year.

Item 35 - re: report from John McGeown, Sanitary Landfill Analyst concerning misuse of landfill and recommendations to alleviate this situation. The Bd. agreed to hold on any action on this item and ask the Board of Health what they think about asking Alpine to dig another pit next to the one in use in order to alternate pits leaving one to dry out at all times.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's Recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

At 8:15 PM a mtg. was held with James Ford of Storch Engineering re: Central Square Traffic Plan. Walter Wilkins, Pres. of the Chelmsford Business Association was also present. Mr. Murphy stated that we should get 3 questions answered tonight: 1) Is this Board on record in favor of this plan or a modified version of this plan; 2) What modifications does this Board see as necessary to the plan - associated with the bank driveway & parking lot & traffic light which was put in limbo; 3) How much money will it cost to take the plan as envisioned through to the final piece of paper that the State will review. Mr. Murphy stated that we only have authorization from the State in terms of a \$13,135 figure. The Bd. asked Mr. Wilkins what the Business Association's position is on the plan. The plan being discussed is Plan B which a study Comm. of the CBA has been reviewing for some time, in light of the new bank parking lot. Mr. Wilkins stated that he does not believe that the parking lot (near the bank) will solve the problems of the Square - he doesn't believe that people will walk from the end of the parking lot to the Square to do business. This plan only loses 9 spots. Mr. Lovering recollected that the CBA sole objection with Plan B was the elimination of the 9 spaces. Mr. Lovering stated that as we now have a parking lot in the vicinity of the Square that holds 140 cars, he cannot wait in good conscience any longer to rectify what he considers to be a major safety problem for this Community. Mr. Lovering stated that he feels that we have satisfied the concerns of the CBA, given some kind of endorsement from Storch that the proposal will still now work with the changes caused by the additions. Mr. Ford stated that the proposal still is feasible with the parking lot. Mr. Hart stated that the CBA was interested in a pedestrian light in the Square, and we have added that also. The area near the bank parking lot has no parking in the plan now - what we are talking about is the parking that does exist now - 1 or 2 crowded spaces which would disappear with that plan. Mr. Murphy said that if we do adopt the plan, does it make sense to amend the traffic regulations now because of the problem of the driveway - there is a bottleneck at the bank. Mr. Ford stated that the funding would change a little, as the project was originally implemented under Section 9932B which no longer has any funds - the Dept's. policy has been to honor those agreements to the extent that they were going to get to; however, after that it would be the responsibility of the community to pay for any design costs. Storch is through the conceptual design - they have not gone into final design which would be the preparation of working drawings, and specs. for the project. They will now have to get the necessary cross sections, profiles and signalization plans, etc. At this time, there is approx. \$4,000 left - Storch anticipates an expenditure of \$12,000 to finish the project. Mr. Ford will forward a detailed proposal to the Board including all of the open balances, etc. Mr. Murphy stated that originally the State was going to pay for the engineering work and reimburse us when we went to bid for construction - as far as Mr. Murphy knows the agreement still exists - the State may well be interested if before we do any additional work, reveal who is paying any additional funds, and they may also want to monitor what the additional funds are. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to endorse and direct Storch to proceed with the final costing info. to go ahead with the improvements to Central Sq. as outlined in the chart presented, with the addition of a pedestrian signal at the Center of the Square. Mr. Edward Redstone, Pres. of the First Bank & Trust was present and requested that a crosswalk be placed between the entrance to the passageway to the parking area and the other side of Central Square. He further suggested that on Billerica

Mtg. with
Storch Eng.
re: Central Sq

Mtg. with
Storch Eng.
continued

Road between the exit & entrance roads, cars should not be allowed to park at these locations, as they block visibility of cars entering & exiting from the parking lot. We will ask Storch to look into Mr. Redstone's plan in their final analysis. Storch will be requested to make a recommendation re: parking on Billerica Road and on the driveway where the cars exit - we will request early implementation, if it is appropriate. Storch's proposal should include a time schedule of work for this project.

New Business Mr. Murphy addressed the subject of sidewalks approved for construction at last year's Town Mtg. The Bd. agreed to hold a Work Session on Aug. 29 with Dr. Rivard and Paul Bienvenu at 7:30 PM to discuss the entire sidewalk issue - the Supt. of Streets will also be requested to attend this work session.

Mr. Murphy requested that the AA review the files to determine whether or not we rec'd. any info. from the State re: shielding over lights on Rte. 495 - we had asked what the design plan was in corres. to the State some time ago.

The Bd. agreed to place the matter re: Cons. Comm. becoming Town Forest Comm. on the Agenda for 9/6/77, in view of action taken at Town Meeting.

The Bd. agreed to request a report from Louis Rondeau re: Chapters 825 & 1140 - some manholes are elevated on Old Westford Rd. for repairs. The AA stated that the Fletcher St. Project was to have started the first part of last week.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward the HRAC Citizen's Guide to Chelmsford for consideration in the MLC&T Innovation Award Contest - we will ask the HRAC to complete the necessary background material prior to the Sept. submission deadline.

Mr. Murphy asked who was taking the next step re: salt shed - we will get a status report from the appropriate person.

Mr. Murphy stated that a lease for the Sheehan Property has not been drawn up to date for use by Mr. Parlee - on a motion by Mr. Murphy, seconded by Mr. Hart it was unan. voted to ask the Rec.Comm. if they are still in consonance with the Board's original plan regarding the lease.

Public Hearing - Lloyd's Coffee Shop application for Wine & Malt License - withdrawn w/o prejudice

At 8:45 PM a public hearing was scheduled on an application of Lloyd's Coffee Shop, Central Square, for a Wine & Malt Common Victualler's License. Mr. & Mrs. Lloyd were present, as was their Attorney, Edward Dean. Atty. Dean asked the Bd. permission to withdraw the application, as a review of the application by Atty. Dean determined that the statute was not met correctly, as in the notices given, the First Parish Unitarian Church was not notified in writing that they could, by writing a letter to the appointing authority, by right deny the license. However, his clients spoke to Rev. Morin, and he has no objections to this license. The statute runs to the governing body of the Church. Therefore, Atty. Dean, on behalf of his clients requested that the application be withdrawn without prejudice - on a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four in favor, one abstention - Mr. Shanahan (in accordance with his April 26 point of privilege) to allow the applicants to withdraw their application without prejudice.

New Business continued

Mr. Murphy stated that a number of weeks ago the Chief of Police sent us a number of rules & regs. from the MPI - we sent them to Town Counsel for review but have not received approval of same to date - we will ask for Town Counsel's approval & place this item on the Agenda for 9/6/77.

Mr. Shanahan stated that he has spoken with a number of people from Evergreen Associates who are interested in discussing the possibility of donating some land to the Town for an access drive - exit/egress - from Fletcher Street to the back lots of the Emerson Property, Town Hall & Fire Dept. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to have a mtg. between Town Counsel &

the Consultant for the HD to develop a letter which we would send to the owners in terms of what the Community would need from them - which would satisfy both the legal and engineering aspects of this gift, and they could respond to that in writing and we could have a Work Session with the two documents.

Mr. Shanahan informed the Board that at the intersection of Brian Road and Parker Road a tree stump, about 4 or 5 feet in diameter, is sticking up about four feet in the middle of the intersection - the Bd. agreed to direct corres. to the Hghy. Supt. to look into this and offer a recommendation to make this intersection a little more safe & more visible.

Mr. Shanahan stated that this BOS have taken quite a bit of action regarding the intersection in South Chelmsford & the fatality which occurred at that location approx. one month ago. During that period, and especially during the last week, the Registry of Motor Vehicles has had two Registry cruisers at that location with radar working very hard - last Thursday in a matter of three hours they had issued 30 citations. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to inform the Registry of Motor Vehicles that we appreciate their efforts in this area, and further to request that we request selective enforcement requisitioning cruisers between the hours of 6:00 PM & 9:00 PM for evening patrol in that area.

At 8:55 PM a meeting was held with Arthur Kimball, Ruthellen Road; Peter J. McHugh, Jr., Building Inspector; and Joseph Dappal, Manager of the Russell Mill Swim & Tennis Club re: lights shining into the Kimball's home from the tennis courts & swimming pool at the Russell Mill Swim & Tennis Club. Atty. Edward Dean represented Mr. Dappal. Mr. Kimball had informed the BI via mail that lights at the tennis court lights shine directly into his home. Mr. Kimball stated that the Club has met with him on several occasions, but nothing has been resolved. The Board heard from Mr. & Mrs. Kimball, and Mr. Dappal and his Attorney regarding the problem with the lights and possible solutions to alleviate same. Mr. McHugh stated that there is no violation of the zoning bylaws. A spokesman of the Tennis Club stated that an engineer designed the lighting for the Club to alter the lighting would cast shadows on the Court - he further stated that the Club had the architect measure the intensity level at that location and it was 01 foot candles - Mr. Kimball stated that he had an engineer come in with a lunar probe which registered 8, which is approximately two foot candles. The Club has employed someone to shut off the lights at 10PM, however, sometimes they do not go off at 10PM, sometimes they go off at 10:10PM, Atty. Dean stated. The Club is willing to install an automatic shut-off for the lights. Mrs. Kimball invited the Board to view the lights at night. Mr. McHugh stated that he feels that this problem could be a civil matter. Mr. Hart suggested that some type of a shield could be placed over the lights to fuse the light away from the Kimball's home. The Board agreed that this problem does not come under their jurisdiction, and they suggested that the Kimballs and the Russell Mill Swim & Tennis Club sit down and try to resolve their differences. Atty. Dean stated that if the Kimballs can suggest a solution, the Club will consider it. The Club will install an automatic shut off on the lights at 10PM, Mr. Dappal stated.

At 9:00 PM a joint meeting was scheduled with the Board of Assessors and the Board of Selectmen for the purpose of filling a vacancy on the Bd. of Assessors due to the retirement of Claude Harvey. One of the Assessors, Ms. Janet Lombard, is recovering from an injury and informed the Selectmen's Office that she would not be able to attend this joint meeting. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to schedule this item on the Agenda for the next Selectmen's Meeting on 9/6/77 - this was agreeable to Ruth Delaney, the other member of the Board of Assessors.

At 9:15 PM the Varney Playground Commissioners met with the BOS jointly to fill a vacancy on the VPC caused by the resignation of William Dempster. Harry Ayotte and Robert McManimon of the VPC were both present. One application for this

Mtg. with A.
Kimball; P.J.
McHugh; J. Dap-
pal re:
lights at
Swim & Tennis
Club

Joint Mtg. with
BOS & Bd. of
Assessors
postponed un-
til 9/6/77
re: vacancy

Joint Mtg.
BOS & VPC
re: vacancy

BOS/VPC Mtg.
continued

position-from Mr. Bernard Battle, 31 Sherman Street, North Chelmsford. Mr. Battle's name was placed in nomination. Mr. Currier closed nominations. A Roll Call vote was taken as follows: Mr. Murphy-Mr. Battle; Mr. Shanahan-Mr. Battle; Mr. Lovering-Mr. Battle; Mr. Hart-Mr. Battle; Mr. McManimon-Mr. Battle; Mr. Ayotte-Mr. Battle; Mr. Currier-Mr. Battle. Mr. Battle was unan. elected to fill this vacancy on the VPC. The AA will determine whether or not Mr. Battle is to fill the unexpired term of Mr. Dempster, or if he will serve until the next election at the 1978 Annual Town Meeting. She will determine same from Town Counsel.

New Business
continued

Mr. Lovering requested that the AA determine from the Town Acct. the date when the Bd. can review the fringe benefit package to be put together by the Town Acct.

Mr. Currier stated that previously the Bd. requested that he set up a liason with committees in Town and the Board, and develop a procedure by which appd. committees could communicate with the Board and vice-versa. Mr. Currier stated that a solution was proposed once by Sel. Lovering which was functional responsibility- Mr. Currier stated that he feels that this is the only way we could set up a system to accomplish the above. The alternative to this would be that each Sel. would be responsible for a committee - the committee could call upon the Bd. member to solve its problem; however, Mr. Currier stated that the best way for a committee to receive advice or information is to call the Selectmen's Office and speak with either Mrs. Haines or Ms. Towle. Mr. Currier stated that unless the BOS are prepared to embark upon a venture of functional responsibility, Sel. Currier feels that we should have committees contact the Selectmen's Office to obtain info., etc. Mr. Currier stated that he feels that Sel. Lovering's plan of functional responsibilities should be unanimous by the Board, and he thinks that the Board should re-think that and ask Sel. Lovering (he had a four-page document) to have a copy of his plan placed in each Board member's box and ask the Bd. members to re-think that proposal. Mr. Lovering asked Mr. Currier if he could interpret his remarks as an indication that the Bd. should reconsider functional responsibilities - Mr. Currier stated that a concern was expressed by the Board that committees may be operating 'in the dark' as to the feeling of the Board of Selectmen on a particular issue, and they should have a liason person or a contact person on the Board, and that, basically, is what functional responsibilities dealt with. Mr. Lovering stated that the four-page document which was distributed some time ago was Mr. Murphy's, not his. Mr. Currier will photo-stat the document and distribute it to Bd. members and perhaps we can discuss same again. Mr. Currier further stated that his remarks indicate that if this Board feels that we have a problem in communication and liason with appd. committees, the best way is to ask the person concerned to call the Adm. Asst., rather than call individual Board members - on the other hand, Mr. Currier stated, that if the Board thinks it is that serious, he is certainly willing to entertain functional responsibilities. Mr. Currier's first choice is to notify the committees to go through the office first.

At 9:25 the Board recessed for five minutes.

Mtg. with Atty
K. Finnegan &
R. Popplewell
re: Civil
Service

At 9:30 PM the Board met with Atty. Kevin Finnegan, Counsel for Patr. Robert Popplewell re: Civil Service. Mr. Currier requested that Atty. Finnegan & Mr. Popplewell explain the situation to the entire Board at a meeting, therefore, this meeting was called for by Mr. Currier. Mr. Currier informed the Board that as of this afternoon (Aug. 22) the Selectmen's Office was notified that the Civil Service list we rec'd. last week is in error - the AA stated that Civil Service asked if any action had been taken on the list yet, and she informed them that final action on the list would not be taken until sometime after Aug. 23 by the BOS. Civil Service indicated that the list was incorrect, and there was a name on the list which should have appeared on the top of the list, and Civil Service would forward a corrected list on Aug. 23, or Aug. 24. Mr. Lovering asked that from now on when we receive info. of this type from Civil Service, we should ask to whom we are speaking, in order that we are receiving correct info. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to correspond with

Mr. Kountze of Civil Service and ask him for a written, detailed explanation as to why the list has been changed, and why an incorrect list was forwarded to us in the beginning - if they intend to send us a modified list, we want an explanation in great detail as to why the list was in error. Atty. Kevin Finnegan explained to the Board in detail Mr. Popplewell's background and history in the Chelmsford Police Department, and informed the Board of the many instances when Civil Service claims to have lost Mr. Popplewell's birth certificate, etc. Atty. Finnegan stated that Mr. Popplewell should be the number one man on the list, as he has been trying to get a Civil Service appointment since 1969. Atty. Finnegan stated that when the matter of appointment comes before the Board of Selectmen, Mr. Popplewell should be their first choice, in view of his dedication.

Mtg. with
Atty. Finnegan
continued

Mr. Lovering requested that the AA determine the number of employees of the Town of Chelmsford who reside in the Town of Chelmsford in the Police, Fire, Highway, and School Departments - total employees and those who reside in the community.

New Business
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:45 PM.

For the Board of Selectmen, by

Meeting
adjourned

Brita Fowler

Regular meeting of the Board of Selectmen held September 6, 1977. Members present were: Mr. Murphy, Mr. Shanahan, Mr. Lovering and Mr. Currier. Mr. Hart was absent because of illness in the family. Mrs. Haines, AA, was also present. Mr. Currier called the meeting to order at 7:30 p.m.

Members
Present

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the meetings of August 8 and August 22.

At 7:30 p.m. the Board was to vote with the Board of Assessors for a replacement for Calude Harvey. The list of names of those expressing interest in the position was read: William York, Julian Zabierek and Stratos Dukakis. Neither board had any other names to submit. The vote was: Ms. Lombard - Zabierek; Mrs. Delaney - Dukakis; Mr. Murphy - Zabierek; Mr. Shanahan - Zabierek; Mr. Lovering - Dukakis; and Mr. Currier - Zabierek. Mr. Lovering then moved to make the election of Mr. Zabierek unanimous, seconded by Mr. Shanahan, unanimous. Mr. Zabierek will fill this position until the next election.

Julian
Zabierek
appointed
Assessor

Mr. Currier asked for reports from Board Members. Mr. Murphy said he just has some questions. Mr. Currier and Mr. Shanahan had distributed a memo re the meeting held August 30 with Louis Rondeau, Dr. Thomas Rivard, J. Paul Bienvenu and Mrs. Haines discussing the sidewalk program. Mr. Currier said there are no road plan layouts yet but the Board's approval is needed to go out on bids on Boston Road, Dalton Road and Westford Street. Mr. Murphy said that based on the January letter from the School Committee, he wants to know what are the plans for the relocation of the crossing light at the South Row School, and that the School Committee had requested a second crossing light. Mr. Currier said there will be a crossing guard at the crosswalk directly in front of the flag pole, and that there will be a standard school crossing light at that location. Mr. Shanahan noted that these plans were acceptable to Dr. Rivard.

Meeting
on School
Sidewalks

At 7:45 p.m. the three bids for the Senior Citizen Drop-In Center were opened. The bids were: Mic-Lyn Corp., 45 Eustis Avenue, Wakefield, \$45,934.00; N. F. Nicetta Inc, 91 Belmont Street, North Andover, \$55,540.00; and Falzarano Const. Co., 22 Woburn St., Reading, \$44,890.00.

Bids for
Senior Citizen
Drop-In
Center

Mr. Murphy moved to take the bids under advisement, seconded by Mr. Shanahan, unanimous.

Bids on Sidewalks

Completion of North Road

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize the Purchasing Agent to go out for bids on sidewalks, conditional upon receiving the county plans. The bids will be advertised September 19. Mr. Murphy asked if there are any estimates as to when the sidewalks on North Road will be completed. Mrs. Haines said that this will be when the Highway Department finishes putting granite curbing on the slopes, and that Mr. Bienvenu says no planting can be done until it is laid.

Mr. Murphy moved that the Board officially ask Mr. Rondeau for the date of completion, since the children are going back to school and the area is a disgrace, seconded by Mr. Shanahan, Mr. Lovering said he will vote for the motion, and that the work should have been done months ago. He then moved that the Board should tell Mr. Rondeau to complete this work. Mr. Murphy said he will withdraw his motion in favor of Mr. Lovering's motion. Mr. Shanahan said he won't withdraw his second, since he feels the faster the work is done, the worse the situation looks, and that the whole thing is a disgrace. He suggested that the Board try to find some means to remedy the situation, rather than complete the project.

Mr. Lovering said he is basing his opinion on Mr. Hart's saying that this was a simple task that could be done by the Highway Department, and that the County had told the Board that there would be no land-taking and that no walls would be necessary. The Town Engineer had recommended that this type of granite block be used. He said that the Board is not happy with the work either, but let's get it done. Mr. Lovering then moved to tell the Highway Department of the Board's displeasure with the job, but to complete the work as soon as possible, seconded by Mr. Murphy, unanimous.

Rte. 27 Sidewalk

Mr. Murphy asked when the sidewalk on Route 27 will be completed, and Mr. Currier said that Mr. Rondeau can give the answer to that. Mr. Shanahan said that he has Chapter 90 money, but it is a question of manpower.

Mr. Murphy said that the Board had a plan with the County Engineers to do survey work, and does the Board still want this done. He said that he wants a report from the School Committee as to what they want for sidewalks by December 1, and that he wants a plan before Town Meeting.

Mr. Murphy moved to ask the School Committee to present sidewalk recommendations to the Board by December 1, seconded by Mr. Shanahan, unanimous.

Meeting w/ Peter Berry N.E.T.&T.

At 8:00 p.m. the Board met with Peter Berry, New England Telephone Company, re service in the Town. Mr. Lovering had asked a representative of the phone company to come to a meeting, saying that he is getting comments from operators in Boston and the South Shore about the service in Chelmsford. He said he has two concerns: 1) that the phone company may not have the capacity to serve Chelmsford, and 2) as a homeowner he finds his phone inoperative quite often, and asked if all communities have these problems. Mr. Berry said that this type of problem exists everywhere, and that the phone company has definite plans to install a new central office which will be electronic and include North Chelmsford, in Town by the third quarter of 1979. This new office will have a higher capacity and will give faster service. Mr. Lovering said that this is a long time away, and asked who has the authority to make this commitment to the Town. Mr. Berry said he will find this out. Mr. Lovering said he thinks Chelmsford needs a concrete placement on the priority list, and Mr. Berry said he believes that the Town is in the top 10 - 15% but he will report on this in writing by the next Board meeting. Mr. Murphy asked if it is possible for the Town to have the emergency number 911 at the time of the installation of the new office and Mr. Berry said that can be done at the Town's request, and would take about a year to implement. Mr. Murphy said that he thinks the Town is paying top dollar on toll calls to Boston, and Mr. Berry said he could look into this and make recommendations. Mr. Murphy then asked if it costs the community anything to move poles when they are a safety hazard, and Mr. Berry said he will find out.

Mr. Murphy moved to request that a survey of the entire Town be done re phone service, and a report sent to the Board, seconded by Mr. Shanahan, unanimous.

At 8:15 p.m. the Board heard the application of Maurice Tweedy for a Class II Auto Dealer's License at 117 Princeton Street. Mr. Currier made reference to Item 54 on the Correspondence, a letter from the Police Chief. Mr. Tweedy said that all the cars in there are for repairs, and that the Police Dept. told him that he can have any number of cars that he is working on. He said that he does repair work for Frank Dimmerdammer of Tyngsboro and John Barrett of Nashua, and that the 17 vehicles on the premises belonged to them. Mr. Currier asked why he stores them and Mr. Tweedy said that they don't have enough room, that the longest time a car is on his premises is 3 weeks, and the average time is 2 or 3 days. He admitted that he has been working late because he has had to redo pipes and plumbing in the shop, and that normally he would be through working by 9:30 or 10:00 p.m. He said that 90% of his work is mechanical, with very little body work. He said he was told by the Police that he can't sell used cars without a license, although he has no For Sale signs.

Mr. Murphy asked if every car on his lot is eligible for sale, and Mr. Tweedy said basically Yes. Mr. Murphy told him that if the Board grants a license there will have to be restrictions, since there is no way of knowing which cars are for sale. When asked by Mr. Shanahan, Mr. Tweedy said that he basically doing dealer repair work. Mr. Murphy questioned that if he gets a license, whose cars can he sell, his own or other peoples'.

No neighbors present were either for or against the granting of the license. Mr. Lovering said to Mr. Tweedy that he feels he has basically a repair business, that he wants a license to legally sell used cars, and he admires the fact that Mr. Tweedy has come to the Board, and he feels that the Board should not deny this license without trying to find a way to accomodate him.

Mr. Currier pointed out the Board's options: grant the license with conditions, not grant the license, or take the matter under advisement.

Mr. Murphy moved to take it under advisement until next week, seconded by Mr. Lovering, unanimous. Mr. Lovering said he would be willing to support a license allowing one car per week to be sold, and no signs.

Mr. Shanahan moved to ask the opinion of Town Counsel if the license can be restricted to the number of cars sold per week. Mr. Currier stepped down from the Chair and seconded the motion. Mr. Murphy said he thinks the Board should wait until we have determined the restrictions. Mr. Currier said he thinks we should get the answer now so as not to hold up the applicant. The vote on the motion was 3 to 1 in favor, Mr. Murphy opposed. The matter will be placed on the agenda for September 12, if an answer is received from Town Counsel, and Mr. Tweedy will be notified if he is to be on the agenda.

The Board met with the Historical Commission, represented by J. Perry Richardson, to discuss a celebration of the 325th anniversary of the incorporation of the Town. Mr. Richardson said that the Historical Commission has a proposal for a celebration drawn up by George Parkhurst, and wants the Board's opinion. Mr. Parkhurst is suggesting an 1880 - 1905 Victorian-type celebration, and it is proposed that the Commission not be the group to run this celebration, and that new ideas are needed and suggests that a committee be appointed. Mr. Murphy asked if the townspeople are interested in another celebration, and Mr. Currier said he would like to get some response, to see how much interest there might be. Mr. Parkhurst said he feels the project should get started next spring. Mr. Shanahan said he personally feels that this is too soon to have another celebration (1980). Mr. Lovering suggested maybe setting aside the week before the 4th of July for an educational-type program. Mr. Richardson left 5 copies of the Commission's proposal.

Hearing -
Class II Auto
Dealer's Lic.
Peter Tweedy

Meeting w/
Hist. Com.
re 325th
Anniversary
Celebration

The meeting recessed until 9:15 p.m.

Report from
Town Counsel

A report was received from Town Counsel stating that the Rules and Regulations for the Police Department were found to be in proper order. This will be placed on the agenda for September 12.

AA's Report
Crystal Lake

Mrs. Haines reported that re Crystal Lake, the Flood Relief Board had been asked for re-imbusement of expenses involved in cleaning, and the Board felt that the lake had not been excavated to the proper depth. They have requested a meeting on Friday, September 9 at 9:30 a.m., and asked Board members to be present. Mr. Lovering asked if that isn't the architect's responsibility, that it looks like a conflict between the state and the architect. Mr. Murphy asked if the canal has been fixed and Mrs. Haines said she doesn't know, but that the cost of replacing the boards is \$1500. Mr. Murphy said that the Board has asked for a transfer of funds from the Finance Committee so that the beach can be properly prepared this fall for use in the spring, and asked Mrs. Haines to politely request that the Committee act on this request in the near future.

Traffic
Light at
Mall

Mrs. Haines reported that she and Paul Bienvenu went to the District 4 office to discuss the traffic light at the Mall, and they recommended that a traffic consultant be hired. Mr. Murphy noted that this proposal was presented to the townspeople as being re-imbursable. Mr. Currier said that this will have to go to Town Meeting, that \$18,000 has been appropriated, to be re-imbursed. Mr. Murphy recommended putting an article in for the next Town Meeting requesting the appropriation of the \$18,000 without re-imbusement.

Mrs. Haines reported that funds may be available for a light between McCarthy Jr. High and the High School on Graniteville Road, and Mr. Shanahan asked her to get a commitment that this would be re-imbursable.

Mr. Shanahan moved to put this in the Town Meeting file, seconded by Mr. Lovering, unanimous.

CETA
Appointments

Mr. Lovering said he thinks the names and titles of all appointments should be read into the minutes of the meeting. Mr. Murphy moved that the Board make the following appointments, seconded by Mr. Shanahan, unanimous: CETA: Housing Needs & Conditions - Street information Survey: Supervisor - \$8,500 per year, James Fox, 142 Boston Road; Aides at \$7,000 per year: William Hardy, 14 Princess Ave., Rene LaRouche, 20 Dunshire Drive; Judith Picard, 17 Wilson St.; Alice Gossard, 54 Riverneck Rd; Clerk/Aide - Georgia Zouzas, 131 Proctor Rd. Inventory Control Management Project: Supervisor, \$8,112 per year - Barry Washafsky, 270 Littleton Rd. Aides at \$7,000 per year: Peter Decker, 32 Westland Avenue; Robert Dubreuil, 108 Warren Avenue; Clerk/Aide - Marian MacNeil, 11 Donna Road. Special Projects Assistant, \$165.72 per week - Robert Maitland, 270 Littleton Rd. Drainage Alleviation and Park Beautification Program - Working Foreman, \$172.41 per week, George Gagnon, 92 Dalton Road; Laborers, \$164.00 per week: Jeffrey Goeken, 2 Crockett Drive; Kevin O'Connor, 45 Gorham St.; William O'Neil, 327 Billerica Rd.; James Quinn, Jr., 174 Princeton St; and Robert Sadowski, 357 North Road. School Crossing Guards, \$4.26 per hour, Permanent: Janet Connor, 19 Empire St; and Carol Souza, 5 Gilwood Ave; Alternates: Marie LaTouche, 196 North Road; Patricia Dearborn, 333 Old Westford Rd; Loretta Weaver, 5 Percheron Rd; Cherly Berthiaume, 15 Putnam Rd; and Estelle Abeley, 80 Acton Rd. Merrimack Valley Health Planning Council - Martin Ames, Waco Circle.

CETA
Coordinator

Mr. Lovering said he wants the CETA coordinator to come to a meeting within one month, with a visual report of the jobs, locations, hours, etc. of appointments made by the Board within the past few months, so that the Board can see the whole thing as a total package.

The Conservation Commission will tell the Board what 3 members they want appointed to the Town Forest Committee. This will be on hold for one meeting.

Town
Forest
Committee

Mr. Lovering moved that the Board send a letter indicating the Board's disapproval of the firing of Miles Mahoney from the Middlesex County Hospital, seconded by Mr. Murphy, unanimous.

Letter to
Msex. Cty.
Hospital

The bid for recording devices for the Police Department was awarded to Arco Instruments, 3621 33rd Street, Long Island City, New York. Mr. Murphy moved to award the bid, seconded by Mr. Shanahan, unanimous.

Bid - Rec.
Devices
Pol. Dept.

Item 1: Letters to other town's Boards re monthly meetings with Carol Amick: Mr. Murphy moved to ask Mrs. Haines to contact the towns who haven't responded to our letter, and to set up a date for the first meeting.

Correspond.
Summary

Item 6: Public Works Seminar: Mr. Murphy wants to send the Highway Superintendent, the assistant specifically charged with snow and ice removal and the person responsible for the maintenance, repair and replacement of equipment, and wants a written report of what the Highway Superintendent plans to do as a result of this seminar.

Item 15: letter from Mr. and Mrs. C. J. Choquette: Mr. Lovering said he had called them and told them why the letter was from the Board, and Mr. Choquette said he is satisfied that he has made his point. Mr. Currier said that many people are looking for the Board to take a leadership role in controlling the school budget. Mr. Lovering said it is time for the town to evaluate its services, that this might be an incentive for the School Department to do the same. Mr. Murphy said the School Committee is forming a committee to look into cutting down on administration costs.

Item 18: Mr. Murphy requested copies of all 3 certificates and lists sent re one permanent full-time Police Officer.

Item 22: letter from Town Planner re street lights for streets accepted at the recent Town Meeting: Mrs. Haines said that the money for this has been spent in the conversion of lamps to a higher Lumen.

Item 26: re 25 mph sign at Village Square: Mr. Shanahan feels the sign is hard to see, and should possibly be located 30 feet further South.

Item 37: request for 1-day beer and wine license for Holy Trinity Armenian Church: Mr. Shanahan stated for the record that he abstains from voting on this item.

Item 40: re-surfacing of Old Westford Road: Mr. Murphy requested a more complete report regarding Chapters 1140 and 825 Funds.

Item 43: re Chelmsford Colonial Minutemen asking permission to use the Tack House on the Emerson property. Mr. Lovering said that plans are not solidified for that property, and that the Tack House should be moved to a more permanent location before the Minutemen spend a great deal of time and money restoring it. Mr. Lovering was appointed by the Chairman to talk with the Minutemen and come back with a recommendation.

Item 45: discussion re Russell Mill Swim and Tennis Club with Mr. Arthur R. Kimball, Jr.: Mr. Murphy has checked the new zoning by-law and feels it may be

applicable. Mr. Currier suggested that the Board communicate with the Building Inspector and reference the sections quoted by Mr. Murphy.

Item 46: letter from Louis Rondeau re salt storage sheds: Mr. Murphy questioned the reference to 2 storage sheds.

Item 49: letter from DPW re salt storage sheds: Mr. Lovering said the letter appears to be a "don't call us - we'll call you" type, and moved to ask for ground rules as to what communities will get the money for salt storage sheds, seconded by Mr. Murphy, unanimous.

Item 51: letter from Storch Eng. re Central Square: Mr. Currier said the Board doesn't have the additional \$12,000, and feels the matter should be held until Town Meeting. Mr. Murphy said he feels the dollar figure is more like \$7,400, and that the Board was told that some money was re-imbursable. He doesn't know if these commitments are still valid, and suggested that the Board check with the District 4 Office, D.P.W.

Mr. Murphy moved to adopt the balance of the AA's recommendations on the balance of the correspondence as amended, seconded by Mr. Lovering, unanimous.

Unfinished
Business

Under Unfinished Business the Board voted the Outstanding Municipal Employee. Mr. Murphy suggested that all 5 names be spotlighted in the press. Nominated were: Walter Hedlund, Mary McAuliffe, Evelyn Haines, Edgar Theriault and James Woodman. The vote was unanimous for Walter Hedlund. The AA will invite him to next week's meeting.

Mr. Murphy said that Robert Sheehan Associates has been selected by the Board to work on the Police Department evaluation. A subcommittee of Mr. Currier and Mr. Lovering will set up the ground rules on this.

New Business

Mr. Murphy suggested that all the Garden Club Presidents in Town be invited to come to the next meeting at 7:30 p.m., at which time the Board will publicly thank them for all the beautification projects they do in Town.

Mr. Murphy brought up the petition drive that has to go on the ballot for 1978, and said that 56,000 signatures are needed state-wide. The basic issue is the control of expenditures of the Police and Fire Departments is to be left for the townspeople to decide at Town Meeting. He suggested putting this item on the agenda for discussion at the September 12 meeting.

Mr. Murphy moved to issue a proclamation declaring September 19th Chelmsford Pop Warner Day, seconded by Mr. Shanahan, unanimous.

Mr. Lovering moved to get a report from the Building Inspector on 248 Mill Road, seconded by Mr. Shanahan, unanimous.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting at 10:30 p.m.

For the Board of Selectmen by

Judith E. Carter

Regular meeting of the Board of Selectmen held September 12, 1977. Members present were Mr. Murphy, Mr. Currier, Mr. Shanahan, Mr. Hart and Mr. Lovering. Mrs. Haines, AA, was also present. Mr. Currier called the meeting to order at 7:30 p.m.

Minutes of
Sept. 6 Mtg.
Adopted

On a motion by Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the meeting of September 6 as corrected.

Mr. Currier read a certificate citing Walter Hedlund as the Outstanding Municipal Employee of 1977 - 1978, saying that the words expressed the gratitude that the Board members all feel for Mr. Hedlund's outstanding contributions to the Town. Mr. Hedlund accepted the citation, saying that without the cooperation of all the Town Boards and employees he couldn't have done what he has done, and is looking for continued cooperation in the future.

Walter Hed-
lund - Out.
Mun. Emp.
1977-1978

There were no reports from Board members or Town Counsel.

Mrs. Haines asked the Board to approve the mileage not to exceed \$35.00 per month for William Pastena, Ray Thebeault and Robert Maitland. Mr. Murphy moved that the Board vote to approve this mileage, seconded by Mr. Shanahan, unanimous.

AA Report

Mrs. Haines reported that on the Senior Citizen Drop-In Center, the bids opened September 12 were discussed with the state labor lawyer and Mr. Jones recommended that all bids be rejected and re-advertised. Mr. Murphy said that the reason for this recommendation is that the bids all exceeded the amount of money to be spent, and he moved to reject the bids and re-advertise, seconded by Mr. Shanahan, unanimous.

The Conservation Committee sent correspondence today recommending 3 members for the Town Forest Committee - Donald House, Edward Duffy and Charles Parlee. Mr. Parlee was also appointed to the Recycling Committee. Mr. Currier suggested that the Board hold on this appointment until next week.

Town Forest
Committee -
Hold

The appointment of a patrolman for the Police Department was discussed, and correspondence from Mrs. Barbara Jarvis, Civil Service Bureau of Examinations, was read. Mr. Currier commented that the letter goes a long way in explaining the problem in the 3 lists, and he thinks someone from Civil Service should meet with the people on the list and explain the situation to them. Mrs. Haines said the recommendation from the Chief of Police is Edward Rooney, whose name is first on 2 of the 3 lists. She read the list of names. Mr. Murphy moved to appoint Mr. Rooney, seconded by Mr. Shanahan. Mr. Lovering said he is concerned about non-residents being appointed to fill these positions, even though they were residents at the time of application, and he will vote Present. The vote was 4 in favor, Mr. Lovering voting Present.

Edward
Rooney
appt. Polic
Patrolman

Mr. Murphy said he will speak about the petition drive when Carol Amick arrives. He handed out 2 sheets, one giving the text of the initial petition and the summary that will go on the ballot, and a fact sheet to answer voters' questions. He said that 56,000 signatures must be collected statewide in 2 months, and the petition will state that the voters are asking that any award made by an outside arbitrator in a police or fire case can be approved by local communities by placing it as referendum on the ballot. If the voters don't approve the issue it goes back to the bargaining table. Mr. Murphy said he feels that this issue is as political as any election and he thinks the Board members should take part in obtaining these signatures. Approximately 1120 signatures are needed on the 16 sheets to be completed in the Town, and he suggested that each Selectman have 3 sheets. Mr. Lovering recommended that at least 1 sheet be in the Selectmen's Office. Mr. Murphy said it will take about 2 weeks to get the sheets ready.

Petition
Drive on
Binding
Arbitration

On the contract to Recycling Enterprises Inc. Mr. Lovering asked that the Board hold for 2 weeks before signing the contract so that he will have an opportunity to do some additional work with Mr. McNamara.

Contract
Recycling
Enterprises

Item 8 of Corres. Sum.: Mr. Murphy requested to hold until Carol Amick arrives.

Corres.
Sum.

Corres.
Sum.
Cont'd

Item 2: plans from the Merrimack Valley Health Planning Council: Mr. Murphy moved to ask Martin Ames to review these plans and to make comments to the Board, including the financial impact, seconded by Mr. Shanahan, unanimous.

Mr. Murphy moved to adopt the balance of the A.A.'s recommendations on the Corres. Sum. as amended and to include same in the minutes of the meeting by reference, seconded by Mr. Shanahan, unanimous.

The A.A. will get information about the rents being paid by the Water Districts and Welfare Office, as requested by Mr. Murphy.

Mr. Murphy said he had asked if Murphy, Lamere and Murphy had taken any action to prepare contracts for supervisory personnel not in the union. The AA will write again to remind them.

Mr. Shanahan said that the Board had voted several weeks ago to open the Civil Service exam for Deputy Police Chief statewide, and he was opposed because he was afraid there could be 3 out-of-towners applying and being certified by Civil Service. Since the Board has expressed concern about the credibility of certification, he moved that the Board reconsider that requisite and close that exam to department personnel only. There was no second, motion failed.

Mr. Lovering said a report has been made by residents that some activity at the Archer property, 9 Billerica Road, was not in conformance - hot-topping, cement and/or brick work. He moved to write a priority letter to the Building Inspector asking for a reply in writing, asking whether these activities are legitimate, and if not, to take action with Town Counsel to stop them, seconded by Mr. Murphy, unanimous.

Mr. Hart said he met with Mr. Madden, Mr. DiMatteo, Bob Gagnon and Robert Loney at Crystal Lake to discuss the material floating in the Northerly end of the lake. He asked them if the money to have this removed is still re-imbursable, and they will let the Board know this week.

Mr. Currier said there is an ongoing problem with teenagers at New Spaulding Street and Golden Cove Road, and since there is no money available for new street lights, a resident has asked that a 1,000 Lumen light be installed, and that police patrol be stepped up. He suggested that Massachusetts Electric be asked for the cost of putting up a pole and a 1,000 Lumen light, and that the Police Chief be asked to step up the patrol. Mr. Shanahan said he understood that there are no funds available for street lights and he has told this to many people. Mr. Currier said he would be satisfied with sending a letter to the Police, asking them to go by more often between 10:00 p.m. and midnight.

The Board took a 5- minute break at 8:00 p.m.

Mr. Currier welcomed Senator Carol Amick to the meeting at 8:05 p.m. and said that the response to the Board's suggestion that a monthly meeting be held with her and a representative from each town in her district has been very good. He said that at least 1 Board member in each town will be named liaison, and that they hope to meet with her at least every other month. Ms. Amick said she would meet with the Chelmsford Board on the odd months and that she wants to stay in touch with all the towns.

Mr. Currier said that the Board has received her memo on Unemployment Compensation. She said that the Governor has recently filed this legislation in response to a mandate from the federal government, that the first hearing has already been held, and that she wants comments from the Board on the impact that they feel this legislation may have on the Town.

Deputy Pol.
Chief Exam

Activity at
9 Billerica
Rd. = Archer

Report from
Mr. Hart re
Crystal Lake

Streetlight
at New Sp.
& Golden Cove

Senator
Carol
Amick

Mr. Murphy commented that the ^{Mass. League of} ~~Cities and Towns~~ is not happy with the costs involved, that some states will pay for this compensation but that Massachusetts won't, and that is one more example of the state passing legislation that the cities and towns will have to pay for.

Senator
Carol
Amick

Mr. Murphy said that the House Bill 6458 received from her should have some changes, that he sees no need for a surety bond on towns, and that there should be a 90-day period for towns to decide what form their constrictutions will take. He also said that he doesn't approve of the clause that says if the Town doesn't respond within 7 days, it loses the right to appeal, and he feels that the time period should be more reasonable, perhaps 30 days.

cont'd

Mr. Murphy asked Mrs. Amick if she would sign the petition on binding arbitration, and she said Yes, that she will vote to put it on the ballot.

Mrs. Amick said she wants to report on a meeting with the State Department of Transportation re the Lowell secondary railroad track that serves a few businesses in Town. There was a concern that it would be phased out by Con-Rail, but the state is getting the B & M to take it over. Mr. Currier said he met with Mr. Rourke and Mr. Freeman re the repair of railroad crossings on Rte. 110, and they were told this would be done this spring; however, no work has yet been done. Ms. Amick asked for any correspondence on this and said she will look into the matter.

At 8:30 p.m. the Board met with representatives of the School Committee and the Police Department. The Superintendent of Schools had requested that the Board consider re-activating the Drug Abuse Committee. Myra Silver said the School Committee is seeing an increase in drug, alcohol and tobacco abuse, although there had been a decrease for a while. The School Committee is having classes on these abuses in the schools, but feels that this is a community-wide problem and that there should be a comprehensive educational program for the enire community.

Reactivate
Drug Abuse
Committee

Jay Finnegan, Drug Officer, said that he is finding drug violations at the schools and outside the schools, that marijuana is very prevalent, there is some LSD, but that alcohol and marijuana are the main problems with the kids. Mr. Murphy suggested to Dr. Rivard that his department reconsider allowing smoking areas outside the schools, and to stop any smøking in the laboratories. Dr. Rivard said that smoking is a problem, and that allowing it outside keeps down the damage within the schools. Mr. Murphy asked how long there has been a bad alcohol problem, stating that the Board received a report on this from SHARE some 15 months ago.

Mr. Currier said that the School Committee wants the Drug Abuse Committee reactivated with new goals and asked for Board members' opinions. Mr. Shanahan said he is concerned that reactivating this Committee may ba a facade, since there is no criminal deterrent tothe use of marijuana, and many national campaigns to legalize it. Mr. Lovering said he believes that it is a community problem and he endorses forming some type of committee to deal with it. Mr. Hart said he feels that parents are concerned, and that many feel that the School Department isn't strong enough in enforcing its laws. Mr. Currier said the Board seems to be in agreement that a Committee is needed, at least to share opinions, and suggested that there be 1 member from the Board, 1 from the School Committee, 1 from the Police Department. Mr. Lovering said he thinks the Committee should be larger and include the clergy and senior citizens, and should have at least 10 - 12 members to get a representative input. Mr. Lovering moved to reactivate the Drug Abuse Committee, seconded by Mr. Murphy, unanimous.

Mr. Currier will contact the Chairman of the School Committee to lay down some ground rules.

Hearing on
218 Mill Rd.

Alpa
Wrecking

At 9:00 p.m. Mr. Currier moved the meeting to the outside hall because of the large crowd gathered for the discussion of Alpa Wrecking Company, 218 Mill Road, with Mrs. Susan Clark and Peter McHugh. Mr. Currier summarized the background of the matter, noting that there was a court order prohibiting Alpa from dumping any more refuse and waste on the property, and that in August, 1977 the Conservation Commission wrote to the state that Alpa is illegitimately conducting a landfill in Wetlands and asked for state action. The Board received a letter from Susan E. Clark dated August 31, 1977 citing 5 major areas of violation. Mr. Currier said that the purpose of the hearing is for the Board to receive input and that any action would be taken through the Building Inspector, with perhaps a letter being sent to Kenneth Tarbell, who supervises landfill operations for the state.

Mr. Lovering circulated a paper for the 60 or more people present to sign with names and addresses.

James Clark, 265 Mill Road, acted as spokesman for the group, called the Committee to Restore 218 Mill Road, and presented a petition with 104 signatures. He explained the 10 points made on the petition, circulated photographs of the property and gave a slide presentation showing the progression of the landfilling on the property. Thomas Henstock, 237 Mill Road, summarized the position of the Committee, saying that it feels there has been a rape of 4 acres of land, that a junkyard is not permitted anywhere in town under the zoning by-laws, that the Committee wants equal protection under the law, that it wants the Board to start litigation, that it wants regular supervised restoration at 218 Mill Road, and that the people want their neighborhood back.

Mr. Currier said that Alpa was supposed to have the landfill cleared by December 13, 1976 and that the Board could get a court order on this, that it appears he is running a junkyard and that the Town could go to the courts with that, and also work on the landfill aspect of the case.

Mr. Lovering asked if there is any problem with rodents in the area, and Mary Dale, 227 Mill Road, said she saw 2 rats in her garage. Mr. Lovering said that since there is existing court action, he suggests that the Board ask Town Counsel to review the evidence presented tonight, see if there are any amendments or additions to the suit, and give priority consideration to this suit.

Mr. Shanahan said that the Committee has made a very factual presentation, and suggested that the Town get some security from the courts immediately that Alpa can't leave town without restoring the property.

Mr. Murphy moved that the Board send priority letters to the Building Inspector and Town Counsel telling them to pursue this matter as rapidly and completely as possible, seconded by Mr. Shanahan. Mr. Shanahan suggested that the Board pursue also possible action by the local Police Department. The vote was unanimously in favor. Mr. Currier asked Mr. Clark and Mr. Henstock to furnish the Board with written copies of the information presented tonight, as further aid to the Building Inspector and Town Counsel.

Mr. Murphy said he feels the Board should give Alpa Wrecking a chance to come in and explain the situation.

At 10:15 p.m. Mr. Murphy moved to adjourn the meeting, seconded by Mr. Shanahan, unanimous.

For the Board of Selectmen, by

Judith E. Carter

Jurors
Drawn

Jurors drawn by Sel. Currier on September 19 were as follows: Cambridge - Walter F. Cetaruk, 20 Singlefoot Rd.; Kenneth P. Dumais, 11 Spaulding St.; David B. Ullom, 11 Sunset Ave.; Elizabeth M. Stanton, 270 Littleton Rd. - Lowell, Edward J. Buckley, 28 Sprague Avenue.

Members
Present

Regular meeting of the Board of Selectmen held September 19, 1977. Members present were: Mr. Currier, Mr. Lovering, Mr. Shanahan and Mr. Hart. Mr. Murphy was out of town on business. Mrs. Haines, AA, was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 p.m.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to adopt the minutes of the meeting of September 12 as corrected.

Minutes of
meeting
Sept. 14

Mr. Lovering reported that there will be a re-cycling workshop on Tuesday, September 20, at 9:00 a.m.

New Business

The AA reported that rents paid by the Water Department is \$20.00 per month for 270 square feet of space, and the Welfare Department is \$137.50 per month for 617 square feet. Mrs. Haines was asked to check what the going rate for office space in town is, and Mr. Lovering would like her recommendations as to what rent for these two offices should be.

AA Report

The AA reported on the number of full-time and part-time personnel in the Police, Fire and Highway Departments as 314, 29 of whom are non-residents of the Town. In the School Department, of 751 employees, 383 are non-residents. Mr. Lovering commented that the School Department spends 2/3 of the Town's dollars, and has more than 50% of its employees living out of town, and other Town departments spend only 1/3 of the budget and have less than 10% of their employees non-residents. He said he is shocked to see that so many non-residents are employed by the School Department, and hopes that people remember this at Town Meeting.

Mr. Currier said he had checked with Mr. Murphy and he doesn't mind if the Board makes appointments without him. Mr. Shanahan moved that, upon the recommendation of the Conservation Commission, Mr. Ralph House, Mr. Edward Duffy and Mr. Ralph Parlee be appointed to the Town Forest Committee, seconded by Mr. Hart, unanimous. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to appoint Miss Debbie Heilner as a CETA Clerk for the School Department. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to accept the list of precinct workers for 1977 - 1978 as presented by the AA.

Appointments

Mr. Murphy had requested that a Hold be placed on the Police Rules and Regulations.

Hold on
Police
Rules

Item 20: report from Town Counsel re Town vs. Joanne Clark: Mr. Murphy asked to hold on this, and to amend the AA's recommendation to include a report from the Building Inspector to the Board. Mr. Currier said he saw 5 vehicles and a trailer with out-of-state registrations at the property.

Corres.
Sum.

Item 24: letter from Town Planner: Mr. Lovering said he feels Mr. Carney is trying to give the Board advice re his hours, that some statutes cover the issue of comparable time off, and that this can't be changed even if the Board wanted to do so. He asked the AA, to make the Board's position clear to Mr. Carney. Mr. Shanahan said he ^{doesn't} wants to go on record that the Board has never done this in the past, but only in an emergency situation.

Item 30: letter re Peter Tweedy, 117 Princeton St. - Mr. Murphy had commented that the report from OSHA presents a different picture of Mr. Tweedy's business than he presented to the Board. Mr. Currier read the letter from OSHA, indicating that he repairs his own stock cars. Mr. Currier suggested that the Board accept the report, and bring this matter to Mr. Murphy's attention so he may bring the matter up again next week.

Item 35: letter from Town Counsel re lease on Sheehan property: Mr. Murphy had recommended that Town Counsel complete this matter.

Mr. Shanahan moved to adopt the balance of the AA's recommendations on the balance of the correspondence as amended, seconded by Mr. Hart, unanimous.

Under New Business Mr. Lovering said he has become aware of an alleged noise situation at 30 School Street,

New Business

A woman had called wanting to know if there is a violation re number of heavy vehicles, time ^{of operation} and noise in an RA zone.

Mr. Lovering moved to write to the Building Inspector asking for his report on this by the next meeting, seconded by Mr. Shanahan, unanimous.

Mr. Currier said that he would like to have CETA employees clean out the brook bed between Concord Road and Mill Pond, since there is a problem there now with new debris.

Mr. Lovering asked if the same thing could be done on Stonehill Road, and Mr. Shanahan moved to request that the work be done in these two areas, seconded by Mr. Hart, unanimous.

Bids for Sidewalks

At 7:45 p.m. the Board opened bids for sidewalk construction. Three bids were received from each of the two companies submitting: William E. Belleville, Jr., 182 Robin Hill Road: Dalton Road, \$5,878.10; Westford and Bridge Streets, \$4,632.50; and Boston Road, \$6,862.00.; Middlesex Paving Inc., Billerica/Endmoor Development, Lowell: Westford at Bridge Streets, \$6,659.45; Boston Road, \$15,120.15 and Dalton Road, \$3,643.50.

Mr. Shanahan moved to take the bids under advisement and give them to the Purchasing Agent for his perusal, seconded by Mr. Lovering, unanimous.

At 7:50 the Board recessed for 10 minutes.

Public Hearing - Lloyd's Coffee Shop

At 8:00 p.m. the Board held a public hearing on the application of Lloyd's Coffee Shop Inc. for a Common Victualer License to sell beer and wine. Mr. Shanahan did not sit on this hearing because of a potential conflict of interest since he has a relative in the business.

Attorney James Geary represented Ann, Jim and Jane Lloyd. He said 4 out of 5 return receipts were back, and that a special notice had been sent to the Unitarian Church, which is within 500 feet of the establishment. No one from the governing board of the church has expressed any opposition, and Mr. Currier read a letter from Rev. Roland E. Morin indicating his approval of the license. Mrs. Lloyd said she had spoken with the governing board and they were not opposed. Mr. Geary gave copies of the plan to Board members, stating that there will be no major modifications to the building known as Jack's Diner, only the addition of a pump-type dispenser for draft beer. He said the major reason for the application is that this is a growing family business and they want to add beer and wine to attract a larger supper crowd. Beer and wine will be served as part of a meal from 11:30 a.m. to 9:00 p.m.

Mr. Geary submitted a petition containing names of app. 150 persons in favor of the license, and 4 persons present spoke in favor. No one present was opposed. It was agreed that there would be no outside signs, only a 2 x 3 foot or smaller sign on the premises.

Mr. Currier stated that for the record, should he vote in favor of the license, he wants it known that he is in no way endorsing any expanded activity in the future, neither a full liquor license or interior expansion. Mr. Geary said he had discussed this with the Lloyds and they have no such intention, and also know that any successor to the license would have to come back before the Board.

Mr. Hart moved to grant the license with the stipulations that have been made re signs and hours, seconded by Mr. Lovering, unanimous.

Traffic Problem - Bartlett St.

At 8:15 p.m. the Board met with John Walsh and other residents of Bartlett Street. Mr. Walsh said he and the neighbors are concerned about speeding cars on Bartlett Street, which is used as a shortcut from Acton Road to the Center. He said that the police have clocked cars doing 56 mph, and they are concerned about the safety of children on the street. When Do Not Enter signs were voted in at the 1969 Town Meeting residents assumed that they would be enforced.

Mr. Walsh presented a plan showing a larger traffic island at the corner, with Do Not Enter signs, and said that all the residents are agreeable to making the street

closed to traffic from Acton Road. He said that they have spoken with the Police and Fire Chiefs and they would have no objections to this.

Mr. Geary said he had met with the School Dept. and Marinel Bus Co. and they feel that the street is not wide enough for a school bus to go along it, so the children have to wait for the bus at either end of the street.

Mr. Walsh said that there have been 2 accidents on the street due to excessive speeding, and other residents stated their experiences.

Mr. Currier said the Board will have to have comments in writing from the Fire and Police Departments, and Mr. Lovering said the Board will have to get cost estimates for the project.

Mr. Hart moved to send priority letters requesting answers within 1 week to the Police, Fire and Highway Departments, and to request Town Counsel to take action to find out if the Do Not Enter sign placed there was legal, and is it legal to put it back in. Mr. Shanahan seconded the motion and the vote was unanimous.

Mr. Hart moved to adjourn the meeting at 8:45 p.m., seconded by Mr. Shanahan, unanimous.

For the Board of Selectmen, by

John E. Carter

Regular meeting of the Selectmen September 26, 1977. The following members were present: Mr. Currier, Mr. Murphy, Mr. Lovering, Mr. Shanahan and Mr. Hart. Mrs. Haines, AA, was also present. Mr. Currier called the meeting to order at 7:30 p.m.

Members
Present

Minutes of meeting September 19: On a motion by Mr. Shanahan, seconded by Mr. Lovering, the Board voted unan. to adopt the minutes as written.

Minutes of
Sept. 19

At 7:30 Mr. Currier welcomed Presidents of the town's garden clubs and said the Board wants to recognize the groups who have beautified the town through the auspices and help of the Park Commissioners, who donated the land, and with the help of Donald Gray, Park Superintendent. Mr. Currier read the certificate and gave them to the following, with the thanks of all the townspeople: Woodridge, Clair LaDow; Open Gate, Joan Schenck; Lazy Daisy, Pauline Picthall; Laurel, Carol Funaro; Golden Chain, Kathy Tsiros; Four Seasons, Bea Sharpley; Country Lane, Edna Semonian; and Buttonwood, Maryanne Andreozzi. Chelmsford Garden Club was not represented.

Recognition
to Garden
Clubs

Under Board Reports Mr. Lovering said he had met with the Environmental Advisory Committee and the new re-cycling coordinator, Walter McNamara, and they reviewed the basic plans for re-cycling. He said there is a problem in getting the program started, a delay in the delivery of trucks until app. mid-November. A new time schedule is being prepared and will be presented to the Board when completed.

Board
Reports

The AA reported that the State Department of Fish and Game has stocked Crystal Lake with small-mouth bass.

AA's Report

The AA requested the Board to approve mileage not to exceed \$50.00 per month for Walter McNamara. Mr. Murphy moved to do so, seconded by Mr. Shanahan, unanimous.

Under Appointments the Board voted to appoint Ruth A. Carroll, 4 Central Square, as CETA clerk for the re-cycling coordinator, on a motion by Mr. Lovering, seconded by Mr. Shanahan.

Appoint-
ments

Mr. Murphy moved to appoint Mrs. Jean MacPhail, 2 Topeka Road, as permanent school crossing guard, seconded by Mr. Shanahan, unanimous.

Police Rules and Regulations

The Police Rules and Regulations were discussed. Mr. Murphy expressed several concerns about the report: the organization chart completed by the Chief never got into the book, and there have been modifications to positions in the book; the table of contents is out of order and omits at least 3 items; the org. chart is missing and a Communications Officer was added and a Narcotics Officer deleted, and at least 3 people identified as Officer in Charge, which is confusing; a section on Towing and Robbery in Progress was added recently; the section on Internal Investigations - Civilian is missing. Under Chief's Duties, there is an obligation under a previous vote of this Board to communicate to this Board under Civilian Complaint - Internal Investigation, which is not listed as a duty of the Chief, nor is it listed as his obligation to file accident reports. Mr. Murphy said his major concern is what training could go on, and how officers would know these regulations. He was told they will be handed the book at Roll Call. He added that in the policy that was adopted are a couple of statements that don't belong there: "our department has been doing" and "I have assigned". He also finds missing the policy that the person being towed should have the option to pick his own towing company.

On a suggestion by Mr. Currier, Mr. Murphy moved that his comments be sent to the Police Chief and the Mass. Police Chiefs' Organization, seconded by Mr. Shanahan, unanimous.

The Police Rules and Regulations will be placed on the agenda for next week.

Senior Citizen Center Bids Opened

At 7:45 p.m. the Board opened bids for the Senior Citizen Drop-In Center. The bids were: Mic-Lyn Corp., 45 Eustis Ave., Wakefield, \$41,787; Falzarano Const. Co., 22 Woburn St., Reading, \$38,650; and Endmoor Development Corp., Dutton St., Lowell, \$50,200.

Mr. Murphy moved to take these bids under advisement and turn them over to the Purchasing Agent for his recommendations, seconded by Mr. Shanahan, unanimous.

Unfinished Business

Under Unfinished Business Mr. Murphy said that re the letter from Peter Mackey re Moe's Auto Repair, that the OSHA inspector got a completely different point of view, that Mr. Tweedy told him that he was fixing his own stock cars. Mr. Hart said that during the past few days he has had the feeling that no one is there, and Mr. Currier said he feels the same way.

Sidewalk Bid Award

The bid for sidewalk construction was discussed. William Belleville, Jr.'s bid was \$17,323, Middlesex Paving Co. \$35,422, and Paul Bienvenu's estimate was \$20,246. Mr. Murphy moved to award the bid to the lowest bidder, seconded by Mr. Shanahan, unanimous.

Corres. Summary

Under Corres. Sum Item 8: Vote to approve was changed to Schedule Hearing.

Item #3: Town Hall Employees becoming unionized: Mr. Lovering said that he will be unable to attend the meeting scheduled for October 5, he would like to participate and try to help solve the problems, and asked that the meeting be rescheduled for the following week. The AA and the Personnel Board agreed to the reschedule this meeting.

Item #13: letter from Mary Miley, Selectwoman from Lexington, re the Middlesex County Advisory Board: Mr. Currier said the Board agrees with their positions and will attend their meetings. Mr. Murphy moved to get an accounting of the monies collected and expended before the town pays its share, seconded by Mr. Shanahan, unanimous. Mr. Lovering said he understood that the Board does not have a representative to this group, and Mr. Currier said he has agreed to do this.

Item #17: Task Force on Aging: Mr. Murphy moved to answer that Chelmsford does not have a pre-retirement program and does not intend to at this time, seconded by Mr. Shanahan, unanimous.

Item #18: Drainage Problem, Southgate Road, report from Paul Bienvenu: Mr. Murphy said that the Deans aren't happy with the Board's solution. Mr. Lovering said the Board endorsed this project last week, and that Mr. Bienvenu has volunteered to try to get the neighbors together. Mr. Lovering will help him with this.

Mr. Murphy moved to adopt the balance of the AA's recommendations on the balance of the correspondence as amended, seconded by Mr. Shanahan, unanimous.

Under New Business Mr. Murphy said that on 3 or 4 occasions the Board has asked the Building Inspector for a report on the status of abandoned buildings open to the public. He recommended that the Board ask Mr. McHugh again for this report. He recommended that the Chairman make a personal phone call to Louis Rondeau re a solution on the salt storage shed, and Mr. Currier said he would do this. Mr. Lovering said he has learned from NMAC that the town may still be funded for the salt storage shed, and asked the Board to wait for this decision. Board members have questioned the need for a canine with the Police Department, and never received the Chief's opinion on this. Mr. Hart said it is his recollection that the Chief thought it was a good idea, but that he has to have an officer who is willing to work with the dog, and he understands that there is now such an officer. Mr. Murphy said he wants to hold on approval of the jury questionnaire, that there is an Act in the legislature this year to regulate jury duty, and that Section 4 of the Act will take effect on October 1st, also Sections 10 and 13. Mr. Currier said he thinks there is a serious problem if the rules have been changed, and that the people drawn should be notified. He recommended that a priority letter be sent to Town Counsel asking him to review this Act. Mr. Lovering said he objects to having Town Counsel review this, that he would prefer to have the AA do this. Mr. Murphy moved to have the AA review it, with a report back to the Board in one week, seconded by Mr. Lovering. The vote was 3 to 2 in favor, Mr. Currier and Mr. Shanahan opposed.

New Business

Mr. Murphy said he has received the petitions on binding arbitration from the Secretary of State, and asked each member to return with one sheet filled next week.

Mr. Shanahan said that on the Fletcher Street project, the Greenwood stone wall has been moved back, and that at the Phoenix residence the rail fence has been moved and not replaced. The AA said that this will be replaced when the final hot top is put on. A letter will be written to the Highway Department re this.

Mr. Lovering said that re the Rte. 495 rest areas, he is not satisfied that the state's solution - moving the fence closer and cutting down some trees - will help the problem. He commented that he had seen no pictures of Burlington or Billerica officers meeting with state officials, but that their rest areas were closed. He feels that the town could use a stronger solution, that the areas are turning into an amusement park, with lunch wagons, etc. He feels that one fact has been overlooked by the state, the fact that these areas are adjacent to residential areas, that the rest areas in Haverhill and near Rhode Island are not adjacent to residential areas. He noted the heavy use of the areas in the town, since there are only 3 rest areas the whole length of 495. He said he wants to appeal to Bruce Freeman to ask the state to re-examine the solution in a more creative way, maybe endorsing other rest areas along 495 which will not be adjacent to residential properties. Mr. Hart said he agrees with Mr. Lovering, that he hates to see so much money spent for beautification and none for more rest areas.

Mr. Lovering moved to appeal the solution to Mr. Freeman and the DPW, Mr. Hart suggested to write to the Governor, Mr. Currier to the Congressmen, and Mr. Lovering to the State Senator. The motion was seconded by Mr. Hart, unanimous. Mr. Lovering then brought up the parking at Town Hall, along the railroad tracks. He said he found a Lloyd's Coffee Shop truck there over the weekend, and the town has always allowed residents to use the parking lot weekends for shopping in Central Square. He requested that a letter be sent to the Lloyds asking them to park in the rear of the lot.

Mr. Lovering said he has heard complaints that taxpayers with zoning problems are not having their calls returned by the Building Inspector. He requested that the AA call him and tell him to return these calls.

Work
Session
Scheduled

The work session scheduled for Thursday was discussed, with the janitorial hours in the Town Hall as one of the items to be considered. Mr. Lovering asked the AA to get a list of attendance of all CETA employees for this meeting.

The meeting with Barbara Jarvis, Civil Service, will be rescheduled for the next meeting.

Mr. Murphy moved to adjourn the meeting at 8:30 p.m., seconded by Mr. Shanahan, unanimous.

For the Board of Selectmen, by

Judith E. Carter

Members
Present

Regular Meeting of the Board of Selectmen held October 3, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Hart. Mr. Lovering was out of town on business and could not attend this meeting. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held September 26, 1977.

Town Counsel
Reports

Mr. Currier reported that under Town Counsel's Reports, the Board has been advised that the Georgoulis Dog Hearing which was appealed by Mr. Georgoulis had been brought before Judge Elliot Cowdrey last Thursday - we expect a decision within 30 days as the Judge has taken the case under advisement. Atty. Harrington represented the Town and Sel. Currier and Mrs. Haines attended same.

Adm. Asst.
Reports

Mrs. Haines informed the Board that a hearing has been scheduled for Oct. 4 at 10 AM in Boston re: Town Hall Clerk's Union at the Labor Relations Board - she will attend same. Also scheduled for 1:00 PM is a Hghy. Mediation, which she and Selectman Shanahan will attend.

Unfinished
Business

The AA informed the Board that during the CETA Coordinator's vacation, his clerk, Mrs. Roberta Livingston, had delivered the payrolls and picked up the checks at the CETA Administration in Lowell, and she should receive mileage for same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to compensate Mrs. Livingston for mileage regarding the above, in Mr. House's absence.

Chief Germann (item 32) had recommended Patr. Phillip N. Molleur, 38 Newport Drive, Westford, as provisional sergeant for the CPD - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Patr. Molleur to the position of provisional sergeant to the Chelmsford Police Department.

Mr. Murphy moved the appointment of Michael Zymaris, 7 Bonanza Road, to the EAC - he was unan. appd. to the EAC.

Item 18 - corres. from Thomas Lafionatis, Supt. at NVTHS re: ad hoc building committee made up of one member of BOS from each of the 4 towns - the Board agreed to place this item on the agenda for the Oct. 11 Sel. Meeting for appointment.

Item 23 - corres. from Chief Germann re: trucks entering Billerica Road from Purity, which make a turn on Grove Street onto Billerica Road. If trucks cannot make a turn on the roadway without going up on the sidewalk, they should use another route, Mr. Murphy stated. The Bd. agreed to communicate with Purity and Marshalls and request that they post a notice at their loading docks advising their drivers that when they are leaving the Summer Street Bypass, they should exercise extreme caution when entering Billerica Road, as there are many school children in this area.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim October as Multiple Sclerosis Month.

Proclama-
tions

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim Oct. 9 as All Sports Booster Fund Drive Day in Chelmsford.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim Oct. 11 as League of Women Voters Day in Chelmsford.

Mr. Murphy informed the Bd. that he was approached by Mr. Todaro, Director of Athletics at the High School, re: reconsideration of the "No Parking" ban on the north side of Graniteville Road by the BOS - Mr. Murphy moved that the Bd. ask Chief Germann to review the Board's previous ban of this parking, as there is room to park cars now on this side of the roadway - motion failed for lack of a second.

New Business

Mr. Murphy informed the Bd. that he was contacted by James Ford of Storch Engineers re: restriction of parking on Billerica Road near the new entrance to the Bank Parking Lot and corres. to Storch from the BOS to consider a "No Left Turn" restriction into Billerica Road coming South on 110 - the letter from the BOS did not address how Storch was supposed to handle this matter. Mr. Ford informed Mr. Murphy that in order to do any engineering work on the "No Left Turn" the amount of money needed for this work would be in the vicinity of \$200; however, to allow a left turn at that location, they would have to build in a 2nd lane there-it was Mr. Ford's estimation that some land takings would be required if that plan went into effect. Mr. Murphy told Mr. Ford that because of the funding problem, the BOS would be going to Town Meeting at some time in the future to look for that - the BOS would be well advised to know what the plan would be on paper before we proceed with same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise Storch Engineers to do the engineering work on the "No Left Turn" onto Billerica Road, and instruct Mr. Ford to proceed with the plans for same.

A few weeks ago the Bd. asked that the telephone company perform a survey on services for the Town. Mr. Murphy received a call from someone in this business who asked if the Town would be interested in a private survey or the use of private instruments - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask any interested party, who would like to survey telephone service municipally, to do so, at no cost to the Town, & present recommendations to the BOS upon completion of same.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the Hghy. Supt. to have the area around the Adams Library & island swept, as there is quite a bit of sand in this area; and ask the Hghy. Supt. which streets have been swept, and which streets he plans to have swept in the near future.

Mr. Shanahan stated that after the hearing with the residents of Bartlett Street,

we rec'd. a report from the Police Dept., but since that time, there was a mis-interpretation, and another opinion was rendered which will allow the "Do Not Enter" sign at the intersection of Acton Road and Bartlett Street, on the south end where a barrier can go in, and the street can be utilized as a two-way street - on the street the residents will be banned from entering the "Do Not Enter" end, but they will be able to go both ways once they are on the street coming from the Center side. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to request Chief Germann to forward the BOS with an updated interpretation indicating the change as interpreted above.

Mr. Currier informed the Board that he has some new business which he will bring up after the meeting re: Quessy School & for reasons he will explain later, he requested that this new business be addressed in Exec. Session.

Mtg. with Mr. Shanahan & Mr. Meaney re: use of Quessy School

At 8:00 PM a meeting was held with Kevin Shanahan and Richard Meaney re: Quessy School & Chelmsford Players use of same. Mr. Shanahan presented the Board with some revisions he had made to the proposed lease, which the Board reviewed with him. The Chelmsford Players are very much interested in a one-year lease, and they requested that any changes or additions to the proposed lease be reviewed by Town Counsel as soon as possible. After review of the proposed lease with the BOS, Chairman Currier informed the gentlemen that Town Counsel will be contacting them to discuss same. Mr. Shanahan's home tel. number is 458-0257; and both of the men's work number is 658-2882, Town Counsel will be requested to contact them within 10 days.

Adjourn to Exec. Session until 8:30 PM

At 8:14 PM Chairman Currier requested that the Board adjourn to Executive Session for approximately 15 minutes to discuss the discipline or dismissal of, or to hear complaints or charges brought against public employees - this was so voted on a motion by Mr. Murphy, seconded by Mr. Shanahan, with a roll call vote as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Hart-Aye; Mr. Currier-Aye.

Informal Public Hearing on Graniteville Rd. layout

At 8:30 PM an informal public hearing was held on the proposed layout and roadway construction on Graniteville Road from Drexel Drive to Old Westford Road. Many residents attended this hearing, and a sign-in sheet was passed around the room to document the persons who attended the hearing. Paul Bienvenu, Consultant to the Highway Dept. was present, as well as Philip Lynch and L.H. Patterson of the County Engineering Department. The map of the proposed changes to correct the layout to conform with the way in which the roadway and houses appear today was hung along the wall of the outer hearing room on the second floor of the Center Town Hall. Graniteville Road was laid out in 1860 by the County Commissioners, and unfortunately there was no plan prepared delineating the line of the layout. In the near future the Town hopes to build a sidewalk to the Westford line. The County would like to establish a 50-foot (minimum) layout through this area. The redded areas on the map are what are proposed to be land takings in order to establish a 50-foot layout. The land takings are very minimal on the map. Mr. Bienvenu stated that the maximum takings would probably be 2 to 3 feet at most. Hopefully, a cost estimate for a sidewalk could be established this winter by the county, and presented to the townspeople at the 1978 ATM for a vote, after which time the sidewalk could be completed sometime next summer. The sidewalk would be on the north side of Graniteville Road, on the school side. Once the street lines are established, then the County can lay out the sidewalks where they should be laid out. Graniteville Road is a County Road and is a 50-foot layout, from street line to street line - the sidewalk would be within the 50 feet. Mr. Lynch explained that the County has been requested to layout the road, not to widen the street - the County will correct the discrepancies of the 1860 layout to show what the residents' present deeds reflect. In answer to a question from Martin Traister, 237 Graniteville Road, Mr. Lynch stated that the only construction on the layout would be digging a hole and placing a granite marker in it at various sites along GR. In answer to a question from Henry McClean, 256 GR, Mr. Lynch stated that the County hopes to establish the sidewalk along the edge of the existing road. The sidewalk would go from Parker Jr. High School to the Drum Hill Rotary. In answer to

a question from Bill Walsh, 155 GR, the red line (thin red line) is the limit of the proposed layout, which is right on the existing property line - it's a measuring line; the dashed line running all along the road is the edge of pavement, in other words, the red line represents the closest that the could approach to the road - the county would take an easement for highway purposes-the people still own the fee to the center of the road-the fine red line means that there is no land taking whatsoever - the County is merely following the lines as established by the surveyors. Mr. Currier reminded the residents that if there were to be any land takings, they would have to be addressed at a formal hearing, and would have to be brought up in an article in a Town Mtg. Warrant. In response to a question from Tony Cellini, 249 GR, there will be no changes to the grading of GR, but the County, should sidewalks be installed, will have to address the subject of slope easements on the north side of GR. In response to a question from John Carroll, 266 GR, if the sidewalk does not go in, nothing will happen with the exception of installation of some markers on both sides of the road. Mr. Cellini further stated that the road surface of GR is atrocious, many potholes are on the road and there are cave-ins in several areas - Mr. Currier stated that the Bd. could take a vote on this later on in the meeting to forward this info. to the Hgy. Supt. for action. In response to a question from Bob Joyce, 38 GR, Mr. Bienvenu stated that there would be a 2/1 slope - Mr. Joyce stated that he feels that on GR there should be nothing less than a 4/1 slope. Arthur Kirk, 268 GR, asked if there would be any more 4½ foot markers on his property. Mr. Lynch explained that the markers are 4½ feet high because Mr. Kirk's property is on the Town Line. Mr. William Picariello, 138 GR, was concerned with the truck traffic on GR. Mrs. Randall Hanson was concerned with the amount of her land which would be taken in front of her home, which Mr. Bienvenu explained to her. Mr. Manuel Avila, Davis Road, asked why land around his home would have to be taken - Mr. Bienvenu explained to him that this would be necessary in order to have a rounding on Davis Road. Martin Traister, 237 GR asked if any trees would have to be removed for the sidewalk-Mr. Currier stated that on Fletcher Street, we put the sidewalk behind the trees, and we do not want to cut down trees if it is not necessary to do so, and maintenance of the sidewalk is the Town's responsibility. In response to a question from Fred Pouliot, 151 GR, Mr. Currier stated that he feels that the Town will benefit from the layout; and we are not widening the road. In response to a question from an unidentified woman, GR will become a County Road; the people of Graniteville Road own GR; and the Town controls the traffic on GR. Sel. Shanahan reiterated that what we are doing right now is strictly on paper - at this time we do not have plans for sidewalks or for widening the road. An unidentified woman brought up the subject of truck traffic & speeding of trucks on GR, which is quite dangerous to children in the area. Sel. Currier advised the residents that he had met with reps. of Commodore Foods, reps. of the DPW and we have tried repeatedly to keep the trucks off GR; however, the State does not feel that there is a sufficient route for the trucks to travel on besides using GR. Ms. Dorothy Clayton, 104 GR, asked if there was any truth to the rumor that there will be discussions in the future to straighten out GR, which will entail taking of land and trees-Sel. Currier stated that there is no truth to this rumor. Sel. Hart stated that we have never had a request from any residents to widen the street - there is speeding in this area and from time to time the radar has been at this location. In response to a question from Dick Foley, 283 GR, the County cannot make any changes to the road without the approval of the Town. Mr. Lynch stated that the solid blue line is where we think the 1860 layout was. Mr. R. Hanson, 214 GR asked why the survey was not performed in the past-Mr. Currier stated that it was not performed because we had no sidewalks in the area. Mr. Mike Cariglia, 1 Castlewood Drive, asked where the sidewalks will start-Mr. Lynch stated that no sidewalks have been designed to date. Norbert McHale, 287 GR asked where the sidewalk will end - Mr. Currier stated that we cannot answer that question at this time. Ken Tallman, 1 Princess Ave., stated that the hearing tonight is only for the correction to the map, not for widening of the road. If the residents approve the plan at a formal hearing, the Mid. County Cmsnrs. have to petition ^{the County} to realign GR, then we have a public

Graniteville
Road Hearing
continued

hearing in Cambridge or here (whichever is convenient for the MCC); after the public hearings, the MCC have to vote and they come up with a decision to approve the petition or deny it. Marie Witt, 106 GR, asked if any final decisions on the map would be made tonight - Sel. Currier said that no decisions would be reached this evening - there will be another meeting in 2-3 weeks and the map will remain on this wall for a two-week period in order that residents who wish to look at it again, or who have questions about it, may have a chance to get any info. they request. Mr. Currier suggested that residents with questions leave them, in writing, in the Selectmen's Office. Mr. Bienvenu stated that he will develop a code for the map for the residents in order that the map may be more easily understood. All residents will be notified of the date and time of another mtg. to discuss this matter. A resident asked how a land taking would be handled - Mr. Lynch stated that an appraisor would be selected by the Selectmen who will develop a value of the land-if the BOS approve of the value, the County will pay the resident for the price of the land; then, the County would back bill the Town; once the taking is recorded, the County will register it in the Registry of Deeds and it will appear on all deeds & books regarding the specified piece of land. The layout is merely a legal description of the road the way it appears now. The informal hearing was concluded at 9:55 PM.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The mtg. adjourned at 10:00 PM.

For the Board of Selectmen, by

Bonta Torre

Members
Present

Regular Meeting of the Board of Selectmen held October 11, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; and Mr. Lovering. Mr. Hart was not present due to business commitment. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:35 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held Oct. 3, and the minutes of the Exec. Session held Oct. 3.

Board
Reports
Bld Award-
Sen.Cit.Drop-
In Center

Mr. Currier reported that the BOS received an extension for completion of the Senior Citizens' Drop-In Center from HUD until Dec. 19, 1977. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award the bid for the job of General Contractor for the SCDIC to Falzarano Construction Company, 22 Woburn Street, Reading, MA, in the amount of \$38,650.

Adm. Asst.
Reports

The AA reported that she had attended mtgs. last week re: Hghy. Negotiations and Clerical Union in Boston - she provided the Bd. with written reports on both mtgs.

The AA met with Walter O'Connell re: DPW Study - he will send in a questionnaire for the Bd. to review within the next two weeks, after review of same, the Bd. can hopefully meet with Mr. O'Connell to answer any questions he has re: the evaluation.

Unfin.Bus.

Chairman Currier suggested that Sel. Shanahan represent the BOS on the NVTHS Ad Hoc Building Committee - Sel. Shanahan stated that he will rep. the Bd. on this bldg. comm., and he will carry the sentiments of the Board - Sel. Shanahan's representation on this Ad Hoc Bldg. Comm. should not reflect any support for the program by the BOS.

Re: Police Rules & Regulations, Chief Germann advised Mrs. Haines that he is reviewing the Board's comments, and he is in the process of forwarding a final report on same, which the Bd. should have for their next Sel. Mtg.

Public Hear-
ing-pole
re-location

At 7:45 PM a Public Hearing was held on a pole location on Chelmsford Street. Ralph Wilkins of Mass. Electric was present. The petition was filed jointly by MEC and NET on a request by the Town of Chelmsford to move the pole from the end of

Fletcher Street to relocate Pole 59 onto Chelmsford Street (89 feet westerly) to get it out of the way of the turn around which resulted in the widening of Fletcher Street. No abutters were present opposed or in favor of this re-location. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to approve this pole re-location.

Item 10 - corres. from the Hgy. Supt. re: sand for streets in Town during winter months - using our own vs. purchasing sand for sand & salt stock pile. Mr. Murphy stated that this corres. does not include a cost for town employees to stock pile it; Mr. Murphy is not sure whether the purchase & deliver figure is accurate; the basic issue of what we plan to do re: salt & salt piles does not appear to be addressed. The Bd. agreed to instruct the Spec. Projects Asst. to furnish the Bd. (within 2 weeks' time) a report, including a narrative analysis giving all the options with the cost impact-the report should answer questions i.e., where will the shed be (the report should examine the location problem anew); how many sheds should we have, etc.

Corres.Sum.

Item 13 - corres. from A. Robert Raab re: BI's non-response to their inquiries - the Bd. agreed to have the AA develop a list of all pending matters the Bd. has not rec'd. answers from to date from the BI - Mr. Murphy was under the understanding that all complaints are supposed to be handled in 5, or 8, or 10 days, under the State Bldg. Code. The AA will give the Bd. this report for their next mtg.

Item 14 - corres. from Wm. Hennessy re: appraisal of land for Roger Clermont - 34 Fifth Avenue, Lot 43 - no change to the recommendation - Mr. Shanahan recorded his vote as "Present."

Item 21 - corres. from A. Robert Raab re: final bond release of Newtown Way - the Chairman will meet or discuss with the Chairman of the Planning Board, Mr. Raab, the matter of street acceptances to try to develop a better method in which to handle this matter.

Item 24 - corres. from John Carroll re: salt shed constr. program - Mr. Lovering commented that the location of the shed is back on the table, and he would like to see this addressed in Mr. Ramsey's report (item 10).

Item 25 - corres. from Mr. & Mrs. E.L. Turner, 21 Mansfield Drive re: plowing, taxes, street signs, utility poles, trash collection, etc. There was no recommendation on this item, Chairman Currier informed the Bd. that the recommendation should be to 'make the HD aware of this correspondence and advise them that we have rec'd. a complaint about the plowing at the end of Mansfield Drive; and have the HD review the area for adequate signing & make recommendations to the BOS if a change should be made.' Mr. Murphy suggested that we advise the Turners that the location of utility poles is restricted according to the size of the roadway. Re: trash collection, Mr. Murphy suggested that the Board develop a policy on trash collection (how containers should be returned after collection) - the Bd. agreed to establish the policy that trash containers should be placed at the roadside in an upright condition with covers on top of or in the barrels-we will ask the HS to inform his laborers of this policy. Mr. Lovering had comments on this subject, and he stated that he would wait until the 8:00 PM Hearing to comment on this subject.

At 8:00 PM a Public Hearing was held on a pole location on Churchill Road. Ralph Wilkins of MEC was present. The petition was filed jointly by MEC & NET for a new pole(\$13) on Churchill Road. The abutters present were in favor of same. No one was present in opposition to same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve this pole location.

Public Hear-
ing-pole
location

Item 25 - continued - corres. from Mr. & Mrs. Turner - Mr. Lovering objected to the Turners' comment re: doctors & VIP's having to live on sts. to get service re: plowing-Mr. Lovering does not feel that is a statement of fact in Town; Mr. Lovering objects to the use of the words 'pure stupidity' with regards to the location

Corres.Sum.
continued

of the poles; Mr. Lovering does not agree that most accidents with telephone poles are fatal; Mr. Lovering does not think that our drivers are 'the worst drivers in the world' nor does he feel that they 'are oblivious to their fellow-man'.

Item 23 - corres. from Louis Rondeau re: advertisement for bids for purchase of salt - Mr. Murphy pointed out that the Bd. has adopted this as a regular policy, and therefore, the HS does not have to ask permission from the BOS each year to advertise for same - the advertisement should happen well in advance of the anticipated bid opening to insure competition for the community dollar - the Bd. agreed to advise the HS that we intend to continue this practice and we would expect that he would not require permission each year to advertise for bids for the chipper, and that he would advertise for bids for same at least one month in advance of the bid opening date to guarantee competition for the community dollar.

Item 30 - corres. from Sen. Carol Amick re: list of Chelmsford's Vietnam Veterans - the Bd. agreed to request the original writer who requested this info. (Comm. to Update Town History) if they are still interested in receiving this info., in view of the fact that it will take some 90 hours to review some 60 volumes of Mass. vets.

Item 33 - corres. from Paul Bienvenu re: estimate to implement improvements to Bartlett Street & Acton Road - estimate is \$1,750 - Mr. Shanahan stated that he did not think that it would cost \$1,750 to put a barrier up - on a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to request Mr. Bienvenu to determine if there is perhaps a less expensive way to solve this problem.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the Adm. Asst's. Recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

New Business

Mr. Murphy commented on a Nat'l. League of Cities action call - it appears that a house sub-committee has voted 6-2 to mandate social security coverage to all employees, including federal, state and government workers - this Town is not involved in Soc. Sec., we have a pension program in the County. To put us under Soc. Sec. would seem an extension of employee benefits rather than a blending together of it - this is an imposition of the Fed. Gov. into our Collective Bargaining which will mandate additional benefits to them that have no bearing on the benefits already granted - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to communicate our concern to the sub-comm. Chairman in Washington, informing him that we oppose the extension because it infringes upon our own Col. Barg. situation.

Mr. Shanahan re-addressed the problem re: fire lane violations in Town. The only feedback he has obtained is that the shopping center owners & developers have not been cooperative - the convenience of the public apparently means more than public safety. Mr. Shanahan feels that we should obtain an itemized breakdown of the reaction of the developers & owners & any proposals we might use to get around their obstinance, ie - in the Town of Natick the shopping center has to grant the Town a 12-foot easement around the circumference of the shopping center, and that 12-foot easement becomes a fire lane & is enforced as such. Mr. Shanahan requested that we look into whether or not this could be done in Town retroactively. Mr. Murphy suggested that we invite the developers & owners into a Sel. Mtg. to discuss the problem & ask for their cooperation. Mr. Currier suggested that we attempt to gain the cooperation of the developers one more time before we invite them into a Sel. Mtg. to discuss this matter. Sel. Currier further suggested that we mail a letter to the developers & owners of the shopping centers, then ask the Police & Fire Depts. to contact the owners & ask them if we do have their permission to enforce the fire lane restriction - if this doesn't work, then we can ask them to a Sel. Mtg. to discuss the matter. Mr. Shanahan moved that the owners & developers who have been contacted previously by the Safety Officer & Fire Chief (6 major developers) be asked to come forward & explain to the Bd. why they do not feel it

is necessary to aide the Town in this matter - vote was as follows: two in favor-Mr. Shanahan & Mr. Murphy; one opposed-Mr. Currier; one present-Mr. Lovering; motion passed on majority. New Business continued

Mr. Lovering stated that he thought that in the Oct. 6 edition of the Newsweekly that he had seen an ad for newspaper pick-up for September - he requested the AA to determine whether or not this is so. If this is the case, the AA will speak to whomever is responsible to correct this in the future.

Mr. Lovering stated that the subject of School Department residency has received quite a bit of press during the past three weeks. Mr. Lovering stated that he has been quoted on this subject in the past, and he would like to state his views on same. He stated the following: "I do not support a mandatory requirement with regard to residency in hiring in Chelmsford. I do not think that is appropriate... The reason why I initially brought the subject up was because I think that although you can't mandate it in every case, I think it is something that has to be monitored in terms of percentages. I submitted at that time and I still believe when you have a system which is in excess of 50% outside the Community, then I think that there is an obligation to try to contain that and to reduce it to some other more reasonable number...I think that we as a Community don't want 60-70% of our teachers living outside of the Community. There is another statistic that I think also has to be mentioned, that is the issue of not only just out of Chelmsford residents who are currently employed by the School Dept., but out of State residents who are employed by the School Dept., because as we know, one of the reasons why we were hurt badly tax-rate wise, and lost so much reimbursable money was because of the lack of Chapter 40 reimbursement-the imposition of 766. We have currently in the Chelmsford School Dept. between 9 and 10% of their employees living in N.H. As we all know, that 10% of their employees contribute in no way to the property tax relief - nevermind of Chelmsford - but of any other Community in Mass. I think that has to be said and has to be something that the people understand. I don't particularly think it's fair for someone to derive his livelihood from some governmental unit in Mass., and escape across the boarder to avoid paying taxes. The other thing that I want to comment on is the remarks of Mr. Norkunas. Mr. Norkunas, as I think some of you may have read, has indicated that the Selectmen, because we were spending so much time in worrying about School Comm. matters that we had nothing to do, and because we had nothing to do, we ought to return our \$1,000 stipend that we get as a salary. Well, I think that these remarks of Mr. Norkunas are perhaps the most encouraging remarks that I have heard from a School Committee person in years. I think that the people of Chelmsford finally have someone on the School Committee who is willing to examine, in his department, people who don't do the job and should not be paid. Because if he's saying that those who don't perform shouldn't get paid, I think this is great. He can examine all the administrators that come before him in the budget this Fall, all the teachers, the aides, the janitors, the watchmen, etc., and apply that philosophy and hopefully do the job for the School Committee that he was elected by the people to do. I think that clarifies my remarks... we brought up the subject of residency, and now we've really got to the heart of what we should all be dealing with, and that is getting our money's worth out of all departments and I'm glad that Mr. Norkunas has zeroed-in on that issue." Mr. Currier stated that he hopes that the School budget will hold the line, so that it will be less than it was last year. Mr. Lovering commented that in the future (with declining enrollment) when the School Comm. begins to make its lay-offs to reflect the declining enrollment there is going to be tremendous pressure put on them in terms of the residency factor. Mr. Lovering stated that he does not know if we have in our collective barg. agreement clauses which govern that type of cut-back. Mr. Shanahan stated that it is his understanding that the Admin. is now conducting a study as to who or what positions might be eliminated based on the declined enrollment, declined personnel & bldg. space - when our Personnel Mgr. in the School system resigned, rather than to take any time to evaluate where that caseload might be distributed, they immediately placed an ad and posted that position between 17 & twenty thousand dollars.

New Business
continued

Mr. Currier informed the Bd. that we received a request from the Golden Buc. Drum & Bugle Corps for permission to hold a Tag Day on Oct. 14 from 6 to 9PM and on Oct. 15 from 10-6PM at shopping centers in Town - this was unan. apprvd. by the Bd. on a motion by Mr. Shanahan, seconded by Mr. Lovering.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 8:40 PM.

For the Board of Selectmen, by

Bonita Towe

Members
Present

Regular Meeting of the Board of Selectmen held October 17, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Hart. Mr. Currier, Chairman, advised the Board that Mr. Lovering was out of the State on business and would not attend the meeting. Mrs. Haines, Adm. Asst., was also present. Mr. Currier called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Sel. Mtg. held Oct. 11, 1977.

Proclamation

The Board proclaimed October 24, 1977, as UN Day in the Town of Chelmsford, on a motion by Mr. Murphy, seconded by Mr. Shanahan.

Board
Reports

Mr. Shanahan reported that he will attend the NVTHSC Mtg. on Oct. 18 with regard to the Ad Hoc Bldg. Comm. to be updated on plans, etc.

Mr. Currier reported that he met with the Architect & members of the Sen.Cit. Drop-In Center Comm. this afternoon - the sub-contractors were also present for the pre-construction mtg. Due to a communications mix-up, the architect and gen. contractor will try to arrange a mtg. within the next few days, and hopefully a contract will be offered to the Board within the next 14 days.

Adm. Asst.
Reports

The AA reported that Jack Bakke of the CETA Administration telephoned the office and informed her that two more positions must be filled under TITLE II - the Bd. agreed to request Mr. House to prepare a list of projects which were not filled the last time for the Board's review on Oct. 24, and the Bd. can then select two positions to be filled.

Unfinished
Business

The Bd. agreed to request a report from Chief Germann on the Police Dept. Rules & Regulations for their mtg. on Oct. 24.

The Bd. reviewed a list of pending corres. in the Bldg. Insp's. file. Mr. Murphy commented that some of the matters had been pending for more than six months. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request a response from the BI on each item for the Board's meeting next week on the majority of the items - if the BI cannot provide the Bd. with a written report on the items by Oct. 21, the Bd. will invite him to the next mtg. for a verbal response to these items, which he can follow up in writing.

Corres. Sum.

Item 4 - corres. from James O'Sullivan, Admin., LRTA re: free medical trans. for the elderly - Mr. Currier informed the Bd. that he spoke with Mr. O'Sullivan this afternoon who advised him that LRTA is the vendor for trans. for the elderly; the TOC last year funded Home Care Services in the amount of \$1,800. CTI dropped the Town of Chelmsford and LRTA was the only agency who informed us that they are providing the service presently. Many elderly persons have been calling CTI and they have been advised that they have to call LRTA; however, the Town does not have the services of LRTA, and it looks like the Town is being forced to join. The Town's rep. to CTI is Kathy Robinson - she should be aware of this - the Board agreed to invite Kathy Robinson and a rep. of Elder Services to a Sel. Mtg. within the next two weeks to address this subject. At this point in time Chairman Currier requested a personal privilege for a one-minute recess.

Item 8 - corres. from Betsey Bohl, Supv., Instr. Media-Chelmsford Public Schools - Mrs. Bohl requested mileage reimbursement retroactive for Ms. Marjorie Beall, a CETA Worker - the Board agreed to advise Mrs. Bohl that Ms. Beall may receive reimbursement authorization for the future, as a CETA regulation prohibits retro. reimbursement for mileage-prior approval of same is necessary.

Corres. Sum.
continued

Items 9, 10, & 11 - corres. from Beryl McPhail, Acting Dir. of the COM Outdoor Adv. Division re: disapproval of renewals of 3 billboards - Mr. Murphy stated that originally the BI indicated that the permits for renewal were in conformity with the bylaws as they came under the Grandfather Clause - there is no grandfather clause for the sign bylaw - the other 4 permits applied for may well come back to the Board if and when they are disapproved by the Out. Adv. Div. also.

Item 13 - corres. from the BI re: bylaws applicable to the lighting of the Russell Mill Swim & Tennis Club - Mr. Murphy would like to put a hold on this for one wk., as he would like to check on something-he will advise the AA if he wishes same to be placed on the corres. sum. for next week.

Item 14 - Board discussion on corres. from Mrs. Karen Gounaud, 5 Maynard Circle, et al re: increase of dog fines, etc. Mr. Currier read a memo received in the Sel. Office from a telephone message by Mrs. Gounaud on Oct. 17 re: problem in trying to reach Dog Officer by radio through Police Dept. Mrs. Gounaud could not be present for this discussion, however, her husband was present for same. Sel. Currier stated that Mr. Lovering suggested that a fine be imposed each time the dog is picked up by the Dog Officer. The Bd. agreed to forward a letter to the Dog Officer requesting him to meet with Mrs. Gounaud and her neighbors (perhaps a neighborhood mtg. could be set up) which hopefully will put some dog owners on notice that the dog officer will be picking up dogs. Mr. Murphy noted that the recovery of any fines has to go to District Court - perhaps Legis. should be filed which would allow the Dog Officer to impose the fine. Mr. Shanahan suggested that we charge the owner of the dog a fee of service for the keeping of the dog for the owner. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to direct the Dog Officer not to return stray dogs to their owners-the dogs are to be brought to the pound and boarded, then we can charge a minimum of one day's boarding to the owner when the owner comes to the pound to pick up his animal; the Board further voted to instruct the Dog Officer to look into the possibilities of increasing the amount, sizeably, for boarding of animals who are picked up and kept at the pound by the Dog Officers. Mr. Murphy stated that in the past the Board had discussed the possibility of having both Dog Officers work at the same time; however, we only have one car for same. The AA will advise the Bd. what the current fee is for storage of pets at the pound and this will be re-addressed on our agenda of 10/24 for further discussion, i.e. what do we have to do to increase the fee, etc. Roger Gounaud was present and asked the Board how he could go about changing the present 7 to 7 Leash Law to a 24-hour Leash Law - Chairman Currier advised him of the process of submission of a Town Meeting Article in the warrant.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's. recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Murphy had requested Patr. Finnegan to substantiate the need for formation of a drug/tobacco committee when the Bd. met with the School Comm., approx. 3 wks. ago-we will request this report from Patr. Finnegan, in writing.

New Business

We will request the members of the Ins. Adv. Comm. to forward their surveys re: Conflict of Interest to Town Counsel asap, as we have been awaiting results of same for quite some time.

Mr. Murphy requested that the office contact the members of the Safety Comm., as they were supposed to forward the Bd. with a report on safety as it relates to the high increase in automobile insurance.

New Business
continued

The AA verified the fact that the plans & descriptions for sts. accepted at the 1977 ATM have been forwarded to Town Counsel - we are awaiting his report.

The Bd. agreed to ask Mr. Lovering what the status is on the development of the landfill (\$121,000 for an engineering firm) - have we taken any action on selecting the firm, etc.

Mr. Murphy stated that the Bd. has not taken any action in terms of establishing a fee, etc., with regard to the roadside stand article passed at town meeting - Mr. Currier stated that this would be placed on the agenda for Oct. 24.

Mr. Murphy stated that Unemp. Comp. will probably be passed by the State Legis. very quickly - it applies to unemp. insurance to local governments. There is a provision in the law which says that employees of the School Dept. may not qualify for unemp. comp. during the period in the summer when they are not working. That applies to teachers, teachers' aides, cafeteria workers and crossing guards. It applies to crossing guards only if they are employed by the School Dept. Our crossing guards work under the Police Dept., and it would make sense to transfer them to come under the jurisdiction of the School Dept. The method of paying for it has got to be established by the community by Dec. 1. The Bd. agreed to address this matter with the FinComm and request their input on same.

The AA informed Mr. Murphy that the Jury List will be placed on the agenda for Oct. 24.

The AA informed Mr. Shanahan that she is awaiting the list of developers who would not support fire lane "No Parking" restriction from Safety Officer John Bell - we will have the list of names for next week's meeting.

Because of the fact that we have three holidays coming up within the next few months, Sel. Hart suggested that the Board consider meeting every other week until the first of the year, in view of the fact that the last 5 mtgs. have lasted only 1-1½ hours. The Bd. agreed to hold on this item for discussion until Sel. Lovering returns - this matter will be addressed at the Board's mtg. on Oct. 24. The AA will put together a sample calendar, with mtgs. scheduled every other week, beginning Oct. 31, this will be placed in the Sig. Folder for the Board's review on Oct. 20.

Mr. Hart stated that he has an article which he would like to discuss with the Bd. at a later date.

Mr. Currier stated that the mtg. scheduled for 8:15 PM with James Geary, Esquire, and Robert Sheridan was not held this evening as Mr. Sheridan could not attend same - Mr. Geary advised Mr. Currier of this late this afternoon.

Mr. Currier stated that a few weeks ago, Mr. Shanahan and Mr. Currier met with Evergreen Associates to discuss the gentlemen's agreement made with the Board re: donation of some property behind the Emerson Property for a road or right of way for access to the rear of the Emerson Property. ^{from Fletcher St.} Mr. Shanahan and Mr. Currier both agreed that to put in a road near this piece of property would seem ridiculous, as the Board may well not need that piece of real estate, as costs to put in the road & maintain same would be quite high. Evergreen Assoc. asked that the Board release them from what they consider a gentlemen's agreement to a moral obligation to donate this land. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to send a letter indicating this release to Evergreen Assoc.

Meeting
Adjourned

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The mtg. adjourned at 8:30 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors drawn on Oct. 24 by Sel. Shanahan: for Lowell - John T. Luebbers, Jr., 17 Hitchinpost Road; for Cambridge - Austin Ralls, 64 Dunstable Rd; Norman Russell, 216 Graniteville Road; William Palmer, 300 Old Westford Road; Richard McCall, 15 Sleigh Road--All for service commencing Dec. 7, 1977.

Jurors
Drawn

Regular Meeting of the Chelmsford Board of Selectmen held October 24, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; and Mr. Lovering. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 6:30 PM. Mr. Hart was detained and joined the mtg. in progress at 6:55 PM.

Members
Present

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to recess the meeting until the person with whom the Board was scheduled to meet at 6:30 PM arrived, as Mr. Gilinson was not present at 6:30 PM.

6:30 PM Mtg.
not held

At 6:50 PM Mr. Gilinson was not present and therefore the Board, on a motion by Mr. Murphy, seconded by Mr. Shanahan, advised the AA to call Mr. Gilinson on Oct. 25 re: missing check(s) and cash for bid bonds which cannot be located- if this matter is not resolved by Oct. 28, the AA will officially turn this matter over to the Police Dept. for investigation - this was unan. voted. The AA's telephone call to Mr. Gilinson on Oct. 25 will be followed up by a letter to him concerning the above.

A mtg. was held at 7:00 PM with Robert Sheridan, Town Hall Custodian, and his Attorney James Geary-Mr. Sheridan had requested that the Board hold this meeting in Executive Session. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Executive Session to discuss the dismissal or discipline of an employee - Roll Call vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. At 7:04 the Board adjourned to Exec.Session.

7:00 PM Mtg.
with R.Sheridan, Town
Hall Custodian
Exec.Session
held

At 7:41 PM the Board reconvened to the Regular Meeting.

Mr. Shanahan reported that last Tuesday evening he attended the NVTHS Committee at which time the architect made a full presentation on the ^{proposed} addition. Mr. Shanahan stated his displeasure with the fact that as of last Tues., the School Comm. was still not sure what the addition would be used for.

Return to
Open Mtg.
Bd.Reports

Mr. Currier stated that perhaps at the next mtg. Sel. Currier, Murphy & Lovering could make a joint report on the Municipal Organizations' meeting in Hyannis this past weekend, which they attended. Mr. Currier stated that Mr. Murphy has completed his year as President of the Massachusetts League of Cities and Towns, and the consensus of opinion at the conference this past weekend was that Mr. Murphy will be very difficult to replace, as he was quite dedicated and hard-working in his capacity as President of the MLC&T. On behalf of the Board, Mr. Currier congratulated Mr. Murphy on his past year as President of the MLC&T and he welcomed him back full-time as a member of the Board of Selectmen. Mr. Murphy thanked the Board.

Mr. Currier reported that Town Counsel advised him that Judge Cowdrey upheld the Board's decision regarding the dogs owned by Fred Georgoulis on Abbott Lane - we will receive a written report on this in the upcoming week.

The AA informed the Bd. that the Central Savings bank would like permission to plant three cherry trees in the tree lawn along the bank property on Fletcher Street - the Board agreed to grant permission.

Adm.Asst.
Reports

The AA informed the Bd. that she had reviewed the rent paid to the Town by the Water Dept. & Welfare Dept. for space in the Center Town Hall. Mrs. Haines has spoken to two local realtors who have suggested that the Welfare Dept. be charged

Adm. Asst.
Reports
continued

\$5 per square foot; and the Water Dept. be charged \$3 per square foot-the difference being that the Water Dept. is in the basement and there is no heat down there in that office. Presently the Water Dept. pays \$20 per month - the increase would be to \$81 per month; presently the Welfare Dept. pays \$137.50 per month - the increase would be to \$270.50. On a motion by Mr. Murphy, seconded by Mr. Mr. Shanahan & Mr. Hart opposed, it was voted 3-2, to increase the rental in the Water Dept. to \$80 per month; and increase the rental in the Welfare Dept. to \$270 per month - the State Welfare Dept. will have to be advised of this increase.

Bid Opening-
Brush Chipper
Rental

A Bid Opening was held at 7:45 PM for the Brush Chipper Rental. Mrs. Haines informed the Board that only one (1) bid was received for this item, and the bid involved was received in the Selectmen's Office at 3:10 PM on Oct. 24 - deadline was scheduled for 2:00 PM on Oct. 24 for receipt in the Selectmen's Office. The AA informed the Bd. that six firms were invited to bid on this item. Mr. Shanahan moved that the Board entertain the bid received and open same -there was no second on his motion. Mr. Lovering suggested that due to the lack of competition on this bid, the Bd. should investigate the rate in the area towns, and in the nature of a negotiated purchase, we could set a rate and satisfy the requirement of the Town. Mr. Murphy moved that the Board should not open the bid. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was voted four in favor, one opposed-Mr. Murphy, to entertain the bid. The bid was opened and read aloud as follows: Community Tree Service - total amount of \$894. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was voted four in favor, one opposed-Mr. Murphy, to take the bid under advisement - the AA will conduct an investigation of the rate of same in the surrounding towns; and she will inform the Board how many bids were rec'd. in the past 3 years for this item, and what the total amounts of those bids were; the AA will obtain by telephone, from other communities, an indication of what they pay for similar service and she will ask them how many bids they get when the solicit bids for this item.

Bid Opening:
Sidewalks:
Acton Rd; Summer St; Wildes Rd; Chelmsford St.

The Board opened & read aloud bids for sidewalks on Chelmsford Street, Summer Street, Wildes Road and Acton Road as follows: William Belleville, Chelmsford Paving Co: Chelmsford Street: \$14,654.67; Acton Road: \$2.22 per linear foot; Wildes Road: \$12,670.50; Summer St: \$12,772.50; George Brox, Inc: Acton Road: \$4.92 linear foot; Summer Street: \$19,665.00; Wildes Road: \$16,625.40; Chelmsford Street: \$15,715.80; William Belleville: Acton Road asphalt paving: \$7,300. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to take the bids under advisement. Some of the bids contained a bid security, some did not.

Mtg. with M.
Tweedie re:
Class II Auto
Dealer's Lic.
not held

A mtg. was scheduled with Maurice Tweedie for a Class II Auto Dealer's License on Princeton Street (#117), for the record Mr. Currier informed the Bd. that this evening he had received a petition from residents in the area of 117 Princeton Street, namely, Peter Mackey, et al, objecting to this license at this location. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Tweedie that his request for a Class II Auto Dealer's License at 117 Princeton Street has been denied because the presentation to this Board did not correspond with the presentation made to the Federal OSHA Inspector, and we have received no satisfactory explanation as to why they did not correspond.

Mtg. with J.
House postponed until
10/31

The 8PM mtg. with Jerry House has been postponed until the mtg. on Oct. 31, as the Board has not had sufficient time to review Mr. House's report, which was received this afternoon, on the status of the CETA Program.

Unfinished
Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Jane Hoyt, 5 Highland Ave., as Youth Center CETA Outreach Worker at the specified salary.

Earlier this past week the Bd. was advised that the Planning Board is suing the Board of Appeals-the Pl. Bd. requested use of Robert Sullivan as Special Town

Counsel to represent the Planning Board in this matter - the Planning Bd. Chairman Mr. Raab was advised by telephone by Sel. Lovering that the Board of Selectmen appoint STC, and therefore, they would have to be polled by telephone and the vote would have to be ratified at their mtg. Oct. 24. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Currier, to appoint Robert Sullivan as STC for the Planning Board in this matter.

Unfinished
Business
continued

Item 24 of the Corres. Sum. was the response from the Chief of Police regarding the Police Dept. Rules & Regulations. Mr. Murphy was concerned with #4 re: numbering of pages - Mr. Murphy suggested that the Chief should use a numbering stamp to expedite numbering of the pages-Mr. Murphy stated that if the Chief would like to use a stamp, Mr. Murphy will get it for him to number the pages. Regarding item #11, Mr. Murphy is still concerned with training about the R & R, as are other Board members. Mr. Murphy will try to develop a better method of training regarding this matter with the Chief of Police. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the Rules & Regulations for the Chelmsford Police Department.

Re: Title II appts. to the CETA Program, the Bd. agreed to hold on this item until they meet with Jerry House on 10/31/77.

The Bd. is in receipt of the BI's reports on pending correspondence, and they will review same and this will be placed on the agenda for 10/31/77.

As requested at the last Sel. Mtg., the AA informed the Bd. that the fee for the keeping of a dog at the pound is \$2 per day per State Regulations. Mr. Hart stated that the law says that the Dog Officer is allowed \$2 per day for boarding the dog - perhaps the fee does not have to be \$2 per day, as the \$2 is for the Dog Officer for boarding the dog. The AA requested that the Board allow her to telephone the County Dog Officer this week regarding this matter. On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to instruct the AA to contact the County Dog Officer - if we learn that there is a restriction on the fee, we can refer the matter to Town Counsel to determine if we can institute a fee schedule; if necessary, we can ask Rep. Freeman to file a bill regarding this matter for the Town of Chelmsford.

The Bd. addressed the subject of licenses for roadside stands (ATM 1977). The Bd. must determine whether the license will be for one day, one month, one year, what the fee will be, etc. ^{hearings regarding same} The Board agreed to form a 3-member committee to investigate this matter - it will be made up of Sel. Shanahan, a member of the Police Dept. and a vendor who operates a roadside stand in Town. Prior to Mr. Shanahan's forwarding his report to the Board, he will ask the Board for their input regarding this license.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the Jury List as presented to the Board - it contains 101 names. Mr. Murphy noted that this is the last time the Board will be involved in selection of jurors, as Mid. County Jurors will be chosen by a Jury Commission.

The Bd. is in receipt of a list of 3 shopping center owners who have not agreed to comply with the 'no parking in fire lane' restriction - two other developers have agreed to comply - they are Arnold Katz and Raymond Carye. Sel. Shanahan stated that the Bd. should schedule the 5 developers in to attend a Sel. Mtg. next week, if possible.

Mr. Lovering reported that we may have to move the brook on the landfill property, however, there are some other issues which must be addressed, i.e.: where is the real property line. The last mtg. re: this matter was postponed due to a rainstorm - it will be rescheduled within the next week or so, and Mr. Lovering will report back to the Board after this mtg. is held.

Re: Graniteville Road layout, the Board agreed to schedule another hearing with residents of Graniteville Road & abutters on November 7.

The Board discussed bi-monthly Selectmen's Meetings, which Mr. Hart brought up at the Sel. Mtg. Oct. 17. Mr. Hart stated that he felt that with the holidays coming up, and with the length ^{of time} in which the last few mtgs. have been conducted, he felt that the Board could meet every other week until after the New Year. The AA provided each Bd. member with a copy of a sample calendar for the next two months which outlined when the mtgs. would be held, if, in fact, the Board votes to meet bi-monthly. Mr. Currier stated that some problems are associated with this, namely, residents who come in to a mtg. between 7 & 7:30 PM; another problem is matters which must be acted on within one week's time, such as the brush chipper, etc. Mr. Murphy stated that he sees no problem with continuing with the way in which we conduct our meetings now, that is, every week. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was voted three in favor, two opposed - Mr. Murphy and Mr. Lovering, to hold the meetings for November and December in accordance with the schedule provided by the AA this evening - every other week commencing November 7, 1977. Mr. Murphy asked the Bd. if they would mind if he and Mr. Lovering came to the Sel. Mtg. Room on the weeks when there is no public mtg. in the event that some citizens would like to discuss any matters with the Board from 7-7:30 PM - Mr. Currier stated that that is their prerogative. Mr. Currier stated that perhaps some of the Thursday Work Sessions coming up in the next few weeks could be scheduled for Mondays. Mr. Lovering stated that he feels that mtg. every other week is a big mistake, and he is quite disappointed with the Board's vote.

Mtg. with
RecComm re:
use of VP
& Edward's
Beach &
budgets for
same

A mtg. was held with members of the RecComm re: budget for Edward's Beach & Varney Playground. Robert Charpentier & John Peters, ^{& Joan Murray} of the RecComm were present, as was their Adm. Asst. Evelyn Newman. Robert McManimon of the VPC was present. Mr. Charpentier stated that the RecComm's main concern is will they be able to plan a Summer Rec. Program for youth which would require early preparation of the budget for lifeguards & safety. Mr. Currier informed Mr. Charpentier that the RecComm's request for trans. funds voted at the last Town Mtg. for lifeguards at Crystal Lake has been denied by the FinComm - this is item 10 of the Corres. Sum. Mr. Murphy stated that he believes that a STM may occur in the near future, and this issue of the beach & lifeguards could be addressed - the Townspeople could make the decision on this matter. Mr. Murphy stated that he is willing to support an article in the STM Warrant for a transfer of funds to allow early work on the beach, if the Townspeople feel it makes sense. Mr. Murphy suggested that the Bd. contact the Police, Fire & Hghy. Depts. to see if they anticipate any additional costs associated with the beach, and if so, they should itemize them, so that the figures will be accurate. Mr. McManimon stated that the VPC listed their concerns in an April 5, 1977, letter to the BOS. Mr. McManimon stated that he would get the VPC's. additional questions regarding this matter to the Sel. Office within 72 hours.

Corres. Sum.

Item 4 - corres. from C.F. Mistretta re: traffic control signals at the location between McCarthy Jr. High & new High School - Mr. Murphy stated that at the present time, the School Dept. spends money to move the teams across the road, because of the safety involved. Mr. Murphy stated that it seems that you can only have a light installed if there is a high accident rate in the area - the bussing is eliminating the opportunity for accidents. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the AA to further investigate this problem - the Board will not accept Mr. Mistretta's report.

Item 6 - corres. from Peter Metz re: contract with Railcon to rehabilitate the Lowell Secondary Line to Class I track standard from So. Sudbury to Chelmsford - Mr. Murphy suggested that we ask the Exec. Off. of Trans. & Constr. if the rehabilitation project will include the area in the Square - the rubber coating should be applied to allow traffic to move over the tracks, and it should not just be restricted to the rail bed.

Corres. Sum.
continued

Item 7 - corres. from Mitre Corp.-Chris Ganotis re: source separation - Mr. Lovering will contact Mr. Ganotis and discuss his letter, as Mr. Lovering is not in agreement with his analysis - after Mr. Lovering discusses this with Mr. Ganotis, he will advise the Board of his findings.

Item 8 - corres. from Charles Evans Assoc. re: Planned Personnel Additions in the HD for Recycling Program, Mr. Lovering, at the appropriate time, will advise Mr. Evans as to how we can improve that plan.

Item 17 - corres. from Chief Germann re: canine - the Board agreed to ask the Chief to dollarize use of the canine; and to advise the Bd. of the overtime implications if any, in the dollarization - also, we will ask the Chief if he is in favor, or opposed, to this program.

Item 18 - corres. from Walter O'Connell to meet with the BOS - Mr. Murphy suggested that the mtg. be held on an evening when a regular mtg. is not scheduled.

Item 23 - corres. from Chief Germann re: incident at Chelmsford High School on Oct. 19 - Sel. Shanahan requested that the Chief advise the Board if he is sending two policemen to the High School now, or no officers to the school (para. 3) - we will ask that he clarify this statement; and we will ask him if there is any action the Bd. can take regarding this problem to help the Chief or Dept.

Item 25 - corres. from Walter O'Connell re: unemployment compensation - the Bd. agreed that no mtg. is necessary now with Mr. O'Connell, as Mr. Day is attending mtgs. regarding this matter on behalf of the Board - Mr. Murphy requested that this subject be placed on the agenda for action within the next few weeks - we have to decide whom the single employer is; and we do not want the Water Dept. included - Mr. Murphy stated that he would not like to see this get any bigger than it is, and we have to make a decision if this will be reimbursement or contrib-

utory.
Item 27 - corres. from D. Ramsay re: possible salt storage shed site on Swain Rd. - Mr. Lovering stated that there may be a conflict as he has been looking at that land for recycling. Mr. Lovering wanted to advise the Bd. of this, if he asks for preference. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Murphy stated that he understands that we will be getting some notification from NVTSH in terms of their desire for addition - we have a certain number of days to react to that, and if we do not schedule a STM within the 60 days, by default, we approve it - Mr. Murphy wanted to go on record as requesting that the STM date be established as soon as we receive the notice from Nashoba.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Exec. Session to discuss the discipline of or dismissal of an employee - Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. The Bd. previously agreed to return to Exec. Session earlier this evening to complete discussions on their Exec. Session held at 7:05 PM. At 9:20 PM the Board recessed for a five-minute period, prior to adjourning to Exec. Session. At 9:30 PM the Bd. unan. voted to return to the Open Meeting.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:31 PM.

For the Board of Selectmen, by

Bonta Towe

Regular Meeting of the Chelmsford Board of Selectmen held October 31, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was not present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

New Business

Adjourn to
Exec. SessionReturn to
Open MeetingMeeting
AdjournedMembers
Present

Proclamation

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim November as Diabetes Month in the Town of Chelmsford.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the following Selectmen's Meetings: Oct. 17, Oct. 24 & Exec.Ses. held Oct. 24, 1977.

Board Reports

Mr. Murphy reported that last Thursday Mr. Murphy, Mr. Shanahan and Mr. Lovering met with the Chelms.Bd. of Assessors; Westford Bd. of Sel; and Westford Bd. of Assessors re: Chelmsford/Westford Town Line. Mr. & Mrs. Joseph O'Connell, 23 Horseshoe Road, were also present. At the conclusion of the mtg., it was agreed that the Westford Bd. of Sel. would advise their Bd. of the results of the mtg. on Oct. 27, and get back to the Chelms. Bd. of Sel. within 1 month's time as to what action they intend to take. The potential for a Vet. Agent consortium was briefly discussed also.

The Bd. agreed to set up a mtg. with Kathy Hesse, and Arthur Murphy of Murphy, Lamere & Murphy to discuss the options the Selectmen have to issue a statement or go on record with regard to the unionization of Town Hall employees, prior to the election re: employees' union.

Mr. Lovering stated that there have been reports that the Mid. County Cmsnrs. are anxious to dispose of the Training School - some years ago we had an agreement with the MCC that Chelmsford would be given first opportunity to address that property in the event that it became available-Mr. Lovering would like to re-establish that commitment, whereby we could sit down and talk about potential use of the property; and we should ask our Housing Authority whether or not they have assessed that area as a possibility for housing (low income, elderly)and get back to us with their position. The Bd. agreed to communicate with the MCC & Housing Authority - this corres. is very timely, Mr. Murphy stated, as the MCC are forming a Committee to study use of the Training School.

Mr. Lovering informed the Bd. that there is a lot of work being done by Mr. McNamara & his assistant re: recycling-the equipment will not be delivered until at least November 14, 1977 - the basic equipment - probably by the end of Dec. will be the earliest possible time for that equipment. Mr. Lovering has come to the conclusion that Chelmsford's recycling program cannot be implemented until March, 1978, with winter & holidays, etc. The subject of the concrete bin at the Swain Rd. facility must also be addressed & financing of same. The kit which will be given to each homeowner is well on its way. Mr. Lovering is pleased with Mr. McNamara's efforts to date. Mr. McNamara would like to present to the Bd. a more detailed presentation at the next mtg., or at the mtg. after that mtg., for the Bd. to see and discuss.

Mr. Hart reported that he and Mr. Shanahan met with Kinnard Fletcher this past Saturday and they walked the 70 acres in back of the dump which Mr. Fletcher is interested in selling to the Town for additional dumping space. The figures discussed by the Board and Mr. Fletcher were not close; however, further discussions will be held. Mr. Hart informed Mr. Fletcher that Mr. Shanahan and he would get back to the Bd. and explain to the Board the discussions held. Mr. Lovering commented that the area of land originally of interest to the Board is not the area of land which is being discussed at this time with Mr. Fletcher. Mr. Lovering stated that the mtg. scheduled with the Hghy. Supt. and Paul Bienvenu should be held before the Bd. discusses this matter with Mr. Fletcher.

Mr. Currier reported that he met with the CH of the Planning Bd. re: Street Acceptance Procedure. The PB is taking some action now & will have some amendments to the bylaw for the next ATM - one change would probably be requiring the builder to petition the Board of Selectmen for a hearing when they are looking for their money back-possibly the hearing can be held by the PB with the BOS in attendance

or using them as our agent. There are only 45 days that you have to deal with from the time the builder sends a registered letter and the time you make a decision on whether or not to release the bond. There are approx. 12 of these per year.

Board
Reports
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Cheryl Constantine to replace Claudia Morrison as the CETA Council on Aging Van Driver-Ms. Morrison is moving out of the State.

Unfinished
Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Peter Decker as CETA Custodial Watchman under the CETA Program at the specified salary, in the School Dept.

Re:appt. to Bd. of Registrars, Mr. Currier stated that the following three names will be placed in nomination - the names have been submitted by the Republican Town Committee for appt. to the Bd. of Registrars to fill a vacancy caused by the resignation of Robert Noble: Herbert Bennett; Gerald Silver; James Waldren. Poll was as follows: Mr. Murphy: Gerald Silver; Mr. Shanahan: James Waldren; Mr. Lovering: Mr. Herbert Bennett; Mr. Hart: Herbert Bennett; Mr. Currier: Herbert Bennett. Mr. Murphy moved to make the appt. unan., which was seconded by Mr. Shanahan, unanimously voted by the Board.

The Bd. discussed the rental of the Brush Chipper and a report prepared by the Adm. Asst. which the Board reviewed last Thursday. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Murphy, to ratify the Board's vote of Oct. 27 to award the bid to Community Tree Service in the amount of \$894 - the only bid received.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award bid for sidewalk construction to the low bidder, Chelmsford Paving, conditional upon receipt of bid security in the following priority order: Wildes Road; Chelmsford Street; Summer Street, in the following amounts: Wildes Road-\$12,670.50; Chelmsford Street-\$14,654.67; Summer Street-\$12,772.50. Mr. Lovering suggested that the AA meet with Mr. Bienvenu and address the subject of whether or not we are placing our bid awards at the correct figure, in view of the fact that bid awards have been made higher than estimates in quite a few instances in the past.

Item 1 - corres. from Vaughan Steeves re: Chelmsford Solid Waste Reconsideration of Order Hearing scheduled for Nov. 3 at 10 AM at Tewksbury State Hospital - the Bd. suggested that the AA attend on their behalf.

Corres.Sum.

At 8PM a Public Hearing was held with Cities Service Oil Company for an increase in gasoline storage from 17,100 gallons underground to 36,000 gallons underground. Mr. Henry Almquist of Cities Oil was present representing his firm - he provided the Bd. with sketches of the proposed layout of the gasoline station/Quick Mart. It is planned that the present building will be demolished at the intersection of Acton Road and Bartlett Street and two new buildings will be constructed - 1 for the Quick Mart which will sell only packaged goods; the other for the computer operated gasoline service. This will not be self-service. The Fire Chief has approved the safety aspect of the increase - the BI has a plan of same in his office also, Mr. Almquist informed the Board. The outer design of the Quick Mart will be red brick and will have a colonial type of construction. There will be a complete smoke-detection apparatus in the building (under canopy). Mr. Shanahan stated that he could not support this request due to the manner in which Cities Service Oil Co. handled closing down of Buttonwood Citgo against the wishes of many residents of Town; Mr. Shanahan does not see the need for an increase in gas. storage at this location. The Chairman asked if there was anyone in favor or opposed to this increase - Mrs. Ruth Delaney asked if this station is in the Historic District - Mr. Murphy informed her that it is not in the Historic District. Mr. Currier informed Mr. Almquist that he has received complaints

Mtg.with
Cities Ser-
vice Oil Co.
public hear-
ing for inc.
gas. storage
Acton Rd.&
Bartlett St.

Citgo truck

about drivers speeding when they exit from the station - Mr. Almquist stated that he will check into this problem. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four in favor, one opposed - Mr. Shanahan, to grant the increase in gasoline storage to Cities Service Oil Co. from 17,100 gallons of gasoline to 36,000 gallons of gasoline-underground at the corner of Acton Rd. and Bartlett Street.

Mtg. with
Jerry House,
CETA Coord.
re: status
of positions
and program

At 8:30 PM a mtg. was held with Jerry House re: status of CETA Program & Title II positions. Last week Mr. House provided Bd. members with an extensive report regarding CETA employees in the Town which the Board agreed would not be released to the Press as it was confidential. Mr. Murphy stated that he feels that there is a need for the BOS to sit down with some of the CETA employees at a Work Session to see where they are going - we have had limited feedback from the Sanitary Landfill Analyst, Spec. Proj. Asst. and Community Rel. Adv. for the Police Dept. Mr. House stated that he is hoping that mtgs. will be scheduled weekly or bi-monthly with key CETA personnel - Mr. House feels that each person should avail himself of the expertise of other CETA personnel to share ideas & info - Mr. House feels that his secretary should take minutes of these mtgs, and the minutes can be submitted to the Bd. Mr. Lovering feels that the guidance should come from Dept. Heads & the AA, rather than from the employees' peers. In Mr. House's report, Mr. Lovering noted a paragraph re: counselling for employees - Mr. Lovering cannot go along with this - Mr. House stated that this is necessary only in specific areas - not as an overall requirement in the program. Mr. House stated that each of these CETA positions are to be employed for 12 months - and as far as he knows, he is the only exception to this rule in the Chelmsford Program. Mr. Lovering stated that in his opinion, one of the problems with the CETA Program is using the Towns to funnel the funds - he feels that private enterprise would have been a much better way, in terms of setting standards of productivity and efficiency. Mr. Hart stated that he feels that we have two basic types of CETA employees - those who work as secretaries, or laborers, who have supervision; and those to whom we have given titles & positions who do not have enough work to fill a day - these persons have no guidance. On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to have the AA and Mr. House work together on the positions and offer the BOS suggestions & info. including how much work these people are doing and how much time they actually are spending on their jobs, then the Bd. can give them some direction on types of jobs which the Bd. feels they are capable of doing. Mr. Hart feels that quite a number of these employees have never worked for a city or town before, and they just do not know what to do. Mr. Lovering suggested that as part of their review, Mrs. Haines & Mr. House could see if there are some ways we can reorganize the reporting relationships so that there would be a better organizational trail as to where some of the employees could get direction. Mr. Currier stated that the Bd. received another report from Mr. House which they received this evening - the Bd. does not wish to discuss same at this mtg., as they have not had sufficient time to review it. Re: the Title II positions to be filled (2), Mr. House explained that this was a misunderstanding with Lowell - no positions exist at this time; however, Mr. House informed the Bd. that there is no position for a custodian at the Drop-In Center for the Elderly - Mr. House suggested that one of the open CETA positions be switched to a Custodian who would work at the Town Hall & Drop-In Center. Mr. Shanahan asked Mr. House to inform him as to what, if any, occasion would a CETA employee have to go to the Lowell CETA Office - Mr. House stated that he could not think of any reason for this, unless an employee felt that Mr. House could not handle a problem. Mr. Shanahan stated that on 3 different occasions, he has heard CETA employees talking about going to the Lowell office for one thing or another, and he was concerned as to where they were going & why. Mr. Currier asked Mr. House if it would be more economical, if, rather than have the CETA employees come to the Town Hall to pick up their checks, Mr. House would deliver them to their work sites - Mr. House does not feel that this would be more efficient.

Item 4 - corres. from Mrs. Pat McDargh, 7 Piccadilly Circle re: street lights - Board discussion - Mr. Murphy informed the Bd. that he rec'd. a personal letter on this item from Mrs. McDargh some time ago, and he asked Mrs. Haines to develop an explanation as to why there was a difference between our budget last year and why we did not have any money for st. lights for new streets. Mr. Murphy stated that basically, the st. lighting budget for last year was for \$80,000 and the amount voted was \$74,000-the money appropriated was some \$6,000 less than Mrs. Haines had requested. The other factor is that in July, the BOS notified the Electric Company to update the present incandescent lights to 4,000 lumens within the next five years - MEC has increased all of the 1,000 lumens to 4,000 lumens, Mr. Murphy stated, so rather than have it occur within a 5-year period as we had requested, it occurred within 3-4 months - this increase represents a dollar figure of \$6,500, which wiped out any money we had for new streets. Mr. Murphy was concerned as he thought that we had some funds for new installations - the biggest factor was the conversion. Mr. Murphy suggested that we obtain an explanation as to why the conversion occurred almost instantly as opposed over a 5-year period as requested - Mr. Murphy requested that the AA look into this matter & prepare a written report on same for the Board's review. Mr. Lovering stated that he never rec'd. a letter from a resident complaining about Mrs. Haines' response to a complaint - Mr. Lovering does not know what the reason is, but it is unfortunate that Mrs. McDargh does not feel that she has been treated fairly. Mr. Lovering suggested that some of the questions she posed in her letter be answered: Mrs. Haines did not put the money for st. lights into Fletcher Street, as Fletcher St. was done with State money and it would not be allowable to use those funds for st. lights; the Park benches on Westford Street were a gift to the Town from the Chelmsford Garden Club. Mr. Lovering stated that there are at least 40-50 other families who have expressed concern to the BOS re: st. lights over the last six months, and he would encourage Mrs. McDargh to attend Town Mtg. this year to help participate and solve that problem with us.

Item 14 - corres. from Kevin Ferreira re: tax bill from Assessors' Office & his name being taken off the voting list - the Bd. agreed to inform Mr. Ferreira that as both of these matters do not come under the jurisdiction of the BOS, he should address his problems to both of the departments concerned - we will send copies of his letter to the Assessors' Office & Town Clerk's Office and inform him that we have done this - the Assessors' Office & Town Clerk's Office do not have to get back to us on a subject matter that has nothing to do with us.

Item 15 - corres. from Town Counsel re: finding of Judge Cowdrey affirming order of the BOS re: Georgoulis dogs - the Bd. agreed to notify Mr. Georgoulis & the Dog Officer by priority letter that the judge upheld the order of the BOS and the dogs should be removed immediately.

Item 18 - responses on pending items from the BI - Mr. Murphy feels that some of the items, although we have rec'd. status reports on them, are not resolved, as they are ongoing. Re: problem re: property at 164 Dalton Road owned by Mrs. Clark, cars have been seen there with Maine license plates - there are many vehicles on the premises, and Mr. Murphy cannot see how the court order can be complied with, in view of all the cars on the premises-we will ask the BI to re-investigate this matter; re: abandoned bldgs. - specific corres. from the BOS addresses two additional pieces of property which have been referred to at least two times: one is the property on Spring St. in North Chelmsford-the foundation of the bldg. destroyed by fire is open; the other is property on Alpine Lane where the bldg. is open & abandoned and in decay; another is one on Princeton Street before the railroad tracks; although the Koulas property has been secured many times, the bldg. is still open and it is still a problem on Pine Hill Rd.

Item 20-corres. from Dave Ramsay re: salt storage shed - Mr. Lovering stated that there is much confusion surrounding the subject of salt & sand - he suggested that we use our engineering consultant in this matter & ask him if he feels that his firm would be capable of doing a professional review of this problem for us in

terms of making recommendations. Mr. Hart stated that some time ago he stated that we could make better use of hiring to have the work done or purchasing the sand, when everything is figured into it - to determine a figure we would have to call 2 or 3 organizations which supply sand and find out what they charge for delivery of sand - in the summertime we purchase different types of sand and processed gravel, etc., and Mr. Hart stated that he never heard of sand or gravel costing \$7.32 per yard - Mr. Hart stated that other towns & cities do not put their mixed piles of salt & sand inside a bldg. - Mr. Hart stated that the State puts up salt storage sheds to store salt, then they take a pile of sand and mix it with salt when they need it on a piece of hot-top when the ground is frozen - the pile gets used up and spread - the salt is kept under the bldg., not out in the open, so that there is not a continuous large pile of sand & salt mixed. Mr. Hart stated that the State purchases the sand from the gravel company and they deliver it when needed. When the salt gets down to the level where more is needed, they bring in another load and it is put inside. Mr. Hart feels that it is more reasonable to purchase it than to keep hauling it out of the yard. The Board agreed to have the AA call two or three different sand & gravel companies to get a price on delivered sand through the winter, and advise Mr. Ramsay of same.

Item 21 - board discussion on corres. from J. Paul Bienvenu re: making Bartlett St. one-way and less costly proposal to do so - Mr. Bienvenu's original proposal was for \$1,800 and this is for \$1,160; provided ^{that} we use Highway Dept. personnel it would be much less costly than the \$1,160 on a contract basis, out to bid. The Bd. agreed to have the HD perform this work, we will ask Mr. Rondeau if he can do the work with existing supplies (rails, etc.), if not, we will ask him what the cost of the supplies will be & when he forseees the project as being completed by his Dept.

Item 24 - board comments & discussion on corres. from Sub-Comm. Chairman to all members of the MCAB re: resolutions adopted by the Rotberg Study Review Committee. Mr. Lovering stated that the recommendation re: change in County Cmsnrs. is progress, and we should support this resolution, as it would have a radical change in the current membership of the County Commissioners; the 2nd resolution that the County will determine its own budget without Legis. approval requires further anaylsis and the Bd. does not wish to take a position on it at this time. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted four in favor, one opposed-Mr. Hart, to go on record endorsing resolution #1.

Item 28 - corres. from Chief Germann re: disposition of court cases by Sgt. Edwards - Mr. Murphy stated that the Bd. was concerned as to how much productive time the Town was having in the courts - were the courts listening to the pleas of the community in terms of juvenile cases - we wanted to get our success rate in the courts. The Bd. did not envision a long report, merely a status report on the cases with regard to the percentage of cases the courts were hearing & their findings. The Bd. agreed to request the report once again.

Item 29 - corres. from Madeline Neilon requesting permission to conduct raffle for Altrusa Club - the Bd. agreed to ask Ms. Neilon what type of organization is is, as she noted in her corres. that it is non-charitable.

Item 30 - board discussion on corres. from Robert Raab re: \$260 bond being held for cul-de-sac on Leedburg Street - the Bd. agreed to request the AA to meet with the Engin. Consultant to determine how much work remains to be finished on Leedburg Street - the AA will determine which consultant she should contact - the consultant for the Planning Bd. or the Town Consultant for the HD.

Item 36 - corres. from Vincent Hoefling - Mr. Murphy wanted to note that this corres. is directed to the Chief of Police - not the BOS, it is a carbon copy to the BOS re: traffic problem at Medical Assoc.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the corres. sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Murphy informed the Bd. that part of the rounding on Fletcher Street near the corner of North Road was not cut - the Bd. agreed to inform the contractor to come back and cut the curb, in order that drivers will not continue to drive over the sidewalk.

Mr. Murphy suggested that before the excess equipment for the Town is put out to bid, other depts., such as the Park Dept. or Rec. Dept. should be made aware of items which may be of interest to their depts., such as the paint striper, etc. This Bd. reserves the right to withdraw some of the items if they feel that it is not appropriate to let them go as excess equipment.

Mr. Murphy asked when the mtg. is with the School Dept. & Police Dept. re: recent incident at the High School - Mrs. Haines is attending on behalf of the Board and the mtg. is scheduled for Tuesday, Nov. 1 at 11 AM.

Mr. Murphy informed the Bd. of some problems with the fire arms discharge bylaw-residents in the Chelmsford Farms II area - Raymond Road, have informed him of shooting in that area - the property owners from whom written permission to shoot is supposed to be obtained are the Chelmsford Water District and John Chase. The woman complaining is concerned about children in this area - when the Police Dept. responded to the call they informed her that the shooting was taking place on private property and there is nothing the officers can do. Mr. Murphy stated that the bylaw states that people shooting have to have in their possession written permission of the land owners-which would lead one to believe that it is the obligation of the Police Dept. to determine, if, in fact, the persons shooting have the written permission on their person when they shoot. Mr. Raymond Harmon the Center Water Dist. was contacted, and as far as he knows, the CWD did not grant any permission to shoot on their property. The shooting is taking place between 5:30 and 6:30 PM. Mrs. Haines indicated that she would discuss this problem with the Chief when she met with him, however, Mr. Murphy stated that she did not leave a report on same for the Bd., therefore, he concluded that the matter was not resolved. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to forward the Chief a priority letter indicating that the BOS expect the Police Dept. to enforce the fire arms bylaw; and the Board would like to be made aware of any complaints the PD receives regarding this subject, and the disposition of these complaints - Mr. Lovering stated that last week he received a similar complaint from Mrs. Smith on Concord Road regarding this problem.

Mr. Shanahan reported that over the weekend the Chelmsford High School Varsity Cross-Country Team won the State Division I Championship-on a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to issue citations to the team on their achievements.

Mr. Lovering informed the Bd. that some members of the School Crossing Patrol are concerned with what protection they have, if any, under Town insurance, when they are working, in case of accidents, etc. The Bd. agreed to instruct the AA to work with the IAC to determine the type of coverage these employees have, and advise them collectively.

A few weeks ago, Mr. Lovering spoke with the reps. of the Chelmsford Minutemen re: their request to use the tack house on the Emerson Property for storage, etc. They have now agreed that the facility is not what they are looking for - Mr. Lovering suggested that they contact the Chelmsford Players re: combined use of the Quessy School - the Bd. agreed to contact the Chelms. Players to determine if something can be worked out between them for combined use of the Quessy School.

Mr. Lovering commented that the Trailer Park on Route 110 recently received quite a bit of notariety when a variance was denied by the Board of Appeals - the case is being appealed. Mr. Lovering stated that both parties admittedly agreed that there were an excessive numbers of trailers on the premises, which were not sup-

posed to be allowed by the zoning. The Bd. agreed to ask the BI to forward the Bd. a report as to whether or not the Bd. has a responsibility to take action on a known zoning violation, which the Bd. is currently not addressing.

Mr. Lovering received a complaint from a taxpayer re: a potential conversion of a single residence to a double-residence home which he would like the BI to investigate - it is at 79 Dalton Road and he requested that the BI forward the Bd. with a written report on his findings.

Mr. Currier advised the Bd. of a problem on Billerica Road, across from Old Land-Mark Real Estate at the entrance to the parking lot of the First Bank & Trust there is a double entrance there and an exit coming out onto Billerica Road - there is room there to park one vehicle there, and quite often, one vehicle is parked there which blinds drivers coming out onto Billerica Road - that, plus a stop just before the area where you come out of the drive-in windows at the bank, making a right-hand turn up towards Erickson's Corner - the first parking spot to the left, if there is a car parked there, also tends to cause a blind spot if you are coming out of the parking lot, and it is causing a merging problem. The Bd. agreed to have the PD view both locations to make recommendations to alleviate the problem, which may result in loss of parking spaces in both locations.

Mr. Currier reported that two or more catch basins on Prancing Rd. have dropped below the road level - the Bd. agreed to ask the HD to correct this situation.

Mr. Shanahan asked the Bd. which vendor they would like to have on the sub-committee re: roadside stands - the Bd. suggested that Mr. Parlee might be contacted.

Adjourn to
Exec. Session

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Exec. Session to discuss complaints or charges against employees - Roll Call vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. At 9:54 PM the Board adjourned to Exec. Session.

Return to
Open Mtg. -
Meeting
Adjourned

At 10:06 PM the Board returned to Open Meeting. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:07 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen held November 7, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Lovering and Mr. Hart. Mr. Shanahan was not present, as he had undergone minor oral surgery this morning. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:35 PM.

Members
Present

The Board, on a motion by Mr. Murphy, seconded by Mr. Lovering, unan. voted to proclaim the week of Nov. 13-19 as American Education Week in Chelmsford.

Proclamation

The Board, on a motion by Mr. Murphy, seconded by Mr. Lovering, unan. voted to proclaim November 10 as Veterans' and Public Service Day in the Town of Chelmsford, upon a petition of the Sixth Graders at the Westlands School.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Selectmen's Meeting held Oct. 31, and of the Exec. Session held Oct. 31, 1977.

Minutes
Adopted

The Board opened and read aloud Sealed Bids for Surplus Equipment at 7:40 PM. The Bd. reserves the right to reject any and all bids on any and all items. Bids received were as follows: Dracut Mustes Team - misc. Fire Dept. Equipment - \$107.66; Leon Pigeon - various items (3 motors (electric) condition unknown for \$5; Robert Bennett - 1 2½" nozzle shut off & tip for \$5. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to take the bids under advisement. Mr. Murphy wants to be involved with any evaluation on the price on the True-Line Stripper.

Bid Opening-
Surplus Equip

At 7:45 PM the Bd. met with members of the FinComm - Marvin Schenk, Katie Hughes, Dick Sullivan and Thomas Markham; Town Acct. Ernest Day; and Myra Silver representing the School Committee to discuss unemployment compensation. Prior to Dec. 1 the Bd. must vote what method of payment of unemp. comp. - it will either be reimbursable or contributory. Mr. Murphy suggested that we reimburse it. Mr. Murphy stated that the biggest single factor in this Town is the substitute teachers' account. Mr. Murphy asked if the School Dept. has developed any strategy to provide quality education and minimize the amount of monies the Town will be paying for no work. The law says that if someone has a reasonably good chance of being re-employed in the Fall, they will not get paid for the Summer - any part-time teacher who has his/her credits in can qualify. Mrs. Silver stated that there are two types of part-time or substitute teachers - 1 is the new appts. that will be hired on a long-term sub basis; the other is the regular part-time subs on call. One approach is to go the route of the agencies - but the figures they are now paying are somewhere from 3 to 5 % - the agency kick-back fees would then be increased (service fees for the agencies) but there would be no guarantee that Chelmsford residents would be called on a sub basis. The other route would be to hire so many alternative subs to float around and find something for them to do on a daily basis. The School Dept. feels that it makes more sense to hire a lot of people to work a little time. Mrs. Silver stated that the School Dept. recommends the 1% rather than the reimbursement. The School Committee/Department will put all of their facts and reasoning on paper and forward same to the BOS and Finance Committee by November 14 for their review. Mr. Day stated that 1% would be approx. \$135,000 for the Town for 1 year. Mr. Currier stated that if the School Crossing Guards were in the School Dept. budget instead of in our budget, we would not have to pay them unemp. comp. during the months when they do not work. Mr. Day stated that they would have to be trained, paid and controlled by the School Comm. Mrs. Silver stated that if the School Crossing Guards were established under the School Dept., there would be contractual problems with the Police Dept. contract. Mr. Currier requested that the School Dept. put this info. on paper for the Board's review - both sides of the issue. Mr. Murphy stated that in the past the Federal Government paid for the Crossing Guards unemp., and Mr. Murphy received a call from a guard - in Lowell the guards get unemployment comp. Mr. Lovering gave credit to one or two guards in Town who would not apply for unemp. during the summer as they did not feel that it was proper. Mr. Hart stated that

Mtg. with Fin
Comm; Town
Acct; School
Comm. re:
Unemployment
Compensation

Mtg. re:unen-
compensation
continued

he feels that all costs associated with the School Dept., such as Crossing Guards, should be included in the School Dept. budget, in order that people will know where their money is going. Mr. Murphy stated that a decision on this can be made anytime before July, 1978. Mr. Murphy received a request whereby in the event that we reached a decision, one of the Crossing Guards would like to be present-Mr. Murphy will advise the guard when this mtg. is scheduled. Mr. Schenk stated that he feels that the figure of 1% is suggested, and not mandatory. Mr. Schenk suggested that we use a figure slightly less than 1% - even if the FinComm does not have the funds in the Reserve Fund, we can go to the State for emergency funding and get free cash for this type of thing. The School Dept. will forward their best estimate by the end of this week, in order that the FinComm & BOS can have the figures by November 14. Mr. Murphy stated that the technique which Mr. Schenk spoke of is only possible under reimbursement. Mr. Murphy will determine if the Dec. 1 date is still firm - Mr. Murphy will find out where the law is now. Another mtg. will be scheduled with all parties concerned in the near future.

Personnel Bd.
& Dept. Head
Meeting

A mtg. was scheduled for Dept. Heads & the Personnel Bd. to discuss employees-Sel. Lovering and Mrs. Haines will attend this mtg. on behalf of the BOS - the mtg. will take place in the Treasurer's Office.

Mtg. with rep-
of Elder Ser-
vices re:
trans. for
elderly for
medical
problems, etc.

A mtg. was held at 8PM with Russ Moran of Elder Services; Kathleen Robinson-Town Aide; Louise Bishop-Council on Aging; James O'Sullivan & George Anastas of the Lowell Regional Transit Authority re: elderly transportation. Mr. Currier stated that the Town of Chelmsford is very unhappy with Elder Services & CTI - because a program which transported elderly persons to Boston for medical services was dropped without advising the BOS - the BOS of the Town of Chelmsford have no intention of becoming members of LRTA - CTI & ES have an obligation to provide the Town of Chelmsford with medical trans. for its elderly. Because CTI has a new contract with LRTA, and we are not members of it, our medical trans. for our elderly is in jeopardy. Mr. Moran stated that Title III funds, which fund CTI were of a limited duration - the Legislation was drawn up for a 3-year program. The last grant awarded to CTI in April of 1977-this was the last grant for elder services. Elder Services are mtg. with Mr. O'Sullivan of LRTA on Nov. 8 to see what can be worked out on medical trans. There are a number of regulation problems with LRTA & Title III regulations. Elder Services have not rec'd. their full amount of Title III funds for the year yet. Mr. Currier stated that 22 persons (on an 8-month usage) made trips to Boston for a total of 165 trips - if each person rode in a car at .15 per mile, the total cost would be \$2,250, assuming that Boston is 60 miles away. Last yr. we funded \$1,800 for Elder Services and we received approx. \$30,000 worth of services for our money. Today Elder Services are providing no services for elderly trans. for the Town of Chelmsford. Mr. Currier stated that LRTA is a limited trans. service - why not deal with a private bus company that would not be limited by Legislation as to the area they can serve. Mr. Moran stated that ES feel that LRTA has the best coordination programs. LRTA presently operates in Lowell, Pepperell Westford, Billerica, and dealing with Tewksbury. Mr. Murphy asked that Mr. O'Sullivan forward this office with a copy of the Legislation which increases the Town's home rule in this regard. Mr. Hart suggested that the Bd. set up a mtg. with LRTA in the near future to discuss their proposals. Mr. Murphy stated that we should have been made aware of the problem well before it actually happened - the Town was not prepared, and with some planning, we probably could have bridged the gap. Mr. Murphy requested early communication of problems in the future. Sel. Lovering suggested that the BOS go to the FinComm and see if we can get \$2,000 funded and ask for volunteer drivers within the Sen. Cit. Organization whereby we would reimburse the drivers for mileage at .15 per mile - about \$2,200. Mrs. Bishop stated that the parking fee should be included, as it must be considered. Mrs. Robinson said that her experience with volunteers has been good in some cases, but at least once a week a volunteer backs out, and it is difficult to rely on them. Mr. Currier suggested that Marinel Trans. be considered for this trans., or the bus service run by William Spence, to determine what trips are currently being made into Boston and see if it is possible to join in with that - we will contact our local sources.

A Public Hearing was scheduled at 8:30 PM which was opened and recessed until discussion is terminated with Elder Services - the hearing is for an increase in gasoline storage at PKS Realty at 189 Chelmsford Street.

Mrs. Bishop stated that as far as Elder Services are concerned, the Town of Chelmsford has been most pleased with their programs, and she feels that the Town is getting even more than its moneys' worth. We will await the results of the mtg. on Nov. 8 with Mr. O'Sullivan and Mr. Moran. Mr. Hart requested that a mtg. be scheduled with LRTA for Nov. 21 to discuss new legislation and costs associated with their plans. Mr. Murphy requested that LRTA forward their materials to us in advance of the mtg., in order that the Bd. can review same. Mrs. Helen Doyle was present and informed the Bd. that trans. is very important for the elderly - she works with volunteers at the Byam School. The Bd. agreed to invite Mrs. Doyle to the mtg. which the Bd. will schedule with LRTA, and Mr. Currier suggested that she reduce to paper some of the problems she is encountering with trans. for the elderly.

mtg. re:Elder
Services
continued

The Public Hearing with PKS Realty for increase of gasoline storage was re-opened. Mr. John Kelly & Mr. Fitzpatrick were present to discuss this request at the ARCO Station at 189 Chelmsford Street. They presently have 12,000 gallons of gas stored underground and are requesting an increase of 8,000 gallons underground for a total of 20,000 gallons of gas underground. All abutters were notified and all return receipts were received, application was signed for safety by the Fire Chief. Mr. Fitzpatrick explained that a few years ago when the Government required that gas stations serve no lead gasoline, additional storage was requested by the Princeton Blvd. ARCO Station - the 189 Chelmsford St. did not request an increase at that time - there is a siphon bar between the two tanks - when the third product came in, the siphon bar was cut and a plug was put in it to get the three products. Now the ratio of types of gasoline has changed, and they are requesting the increase in storage. No abutters were present in favor or opposed to this increase. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to grant an increase in gasoline storage to PKS Realty at 189 Chelmsford Street from 12,000 to 20,000 gallons of gasoline-underground.

PKS Hearing
for increase
in gasoline
storage

Mr. Currier reported that on Nov. 4 he and the Chief of Police Robert Germann, AA Evelyn Haines, James Greska, Deputy Chief met with Barbara Jarvis and other reps. of Civil Service re: recent civil service list for Police Officer for the Town of Chelmsford. As of this time, nothing substantive has come out of that mtg., however, all parties involved are reviewing the information they have-hopefully we will have some information on this soon.

Board Reports

Town Counsel Clement McCarthy has requested that the Board approve his deposition of Mr. & Mrs. G. John Carpenter and the Woodhead Brothers regarding the zoning case on Boston Road - this was unan. voted by the Board on a motion by Mr. Murphy, seconded by Mr. Hart. There is a new case involved in this matter which Mr. McCarthy has just been advised of-he asked Mr. Carpenter's attorney, Mr. Dennis O'Dea to return the stipulation of dismissal.

Town Counsel
Reports

The Bd. agreed to hold on appointments until the full Bd. is present on Nov. 21. Item 6 - corres. from Jean Paul Gravell re: new legislation - ch. 36 affects our Col. Bargaining with Municipal Employees - we deal with our Policemen & Fire-

Unfin. Business

men and one of the options of our contract is time for attending conventions. The Legis. really ought to stay out of this - if they want us to do the col. barg., they ought to let us do it and they ought not to get into the act everytime they see fit. This act allows time off without loss of pay for delegates to attend conventions of the Prof. Firefighters of Mass., AFL-CIO and it indicates that they may be excused from duty for not more than 4 days in 1 year on attendance as an official delegate. Mr. Murphy feels that ch. 211 should be put in an article for TM action-it increases the maximum fine for violation of a rule or reg. governing the use of any land or way held for park/playground related purposes - it changes the fine from \$20 to \$200 - we should consider a bylaw which increases that

Corres. Sum.

for the ATM - the Bd. agreed to place this item in the folder for the 1978 ATM Warrant.

Item 12 - corres. from Leo Kahn, President of Purity Supreme - Mr. Kahn indicates that he has advised Chief Germann in the past that he is supportive of the Fire Lane Parking restrictions - he does not have to appear at the Bd's. mtg. on Nov. 21, as he will support the BOS's. recommendations on same.

Item 16 - Board discussion on corres. from Chelmsford Housing Authority requesting that the CHA employees be included in the Town's unemployment compensation program. Mr. Currier stated that these employees will fall under the eventual mtg. with the FinComm for further discussions of this subject.

Item 17 - corres. from John Fisher re: telephone survey & communications systems. Mr. Lovering stated that in the past few weeks he has spent time with Dave Ramsay investigating the merits of the McFarlin School as the eventual Town Hall - Mr. Lovering feels that in the next month or so we should re-address this item - the Bd. agreed to have Mr. Ramsay work with Mr. Fisher in the telephone services matter. Mr. Lovering has asked Mr. Ramsay to further develop plans & a presentation for the BOS for the potential layout & use of the McFarlin School - which will be discussed at a Board meeting in the near future, perhaps on Nov. 21. Mr. Murphy requested that Mr. Ramsay forward the Bd. with his plans for the McFarlin School within the next 10 days for the Board's review.

Item 18 - corres. from School Comm. for what they consider their sidewalk needs for the upcoming year - the AA's recommendation is to request estimates from J. Paul Bienvenu. Mr. Murphy has concern on two of the sidewalks they addressed - he is concerned with safety as well as finances - Mr. Murphy feels that a sidewalk on School St. would not be a good idea, as School Street curves quite a bit, and he is not certain who would walk it; sidewalk on Meadowbrook Road - Mr. Murphy feels that the area from Meadowbrook to Princess Ave. is not that long - one could come up Princess to the existing sidewalk on Gran. Rd. On a motion by Mr. Lovering seconded by Mr. Hart, it was unan. voted to request cost estimates from Mr. Bienvenu - then we can hold a mtg. with the School Comm. & Paul Bienvenu and have a work session to discuss trade-offs, etc. regarding the sidewalks.

Item 19 - corres. from Chairman of Special Comm. on the effects of growth patterns - As the Local Growth Policy Comm. has been disbanded by the BOS, the Board felt that the AA's recommendation was not appropriate - however, Mr. Lovering is discussing these types of items with NMAC, and they are looking to him for input from the Town of Chelmsford - if anyone has any suggestions or comments they can leave same in Mr. Lovering's box for his action.

Item 20 - corres. from Ken Carney re: loose dogs hampering efforts of Housing Needs Surveyors - Mr. Currier suggested that the Dog Officer be requested to patrol the areas where the surveyors will work daily, hoping that when the owners see the Dog Officers car they will restrain their pets. The Bd. agreed to ask the Housing Supv. to contact the Dog Officer for his help in this regard - also, the Bd. agreed to ask the Dog Officer if he knows of any type of spray repellent which the surveyors could use, should they need to protect themselves.

Item 21 - Board discussion re: corres. from Mid. County Commissioner Michael E. McLaughlin concerning Task Force to establish guidelines & recommendations for the disposal of the Multi-Service Center, formerly the MCTS facility. Mr. Currier stated that this corres. is similar to corres. in item 7 from the MCC Asst., Mark Hall. In accordance with item 6 in Mr. McLaughlin's letter, the Bd. agreed, that if Mr. Shanahan would accept this, he will be the Board's representative and the rep. of the Town (as a registered voter) on the Task Force. Mr. Lovering asked if these letters were supposed to be in response to the Board's letter to the Commissioners re: mtg. to discuss future use of the Training School with the BOS & Commissioners - it was not in response to our letter, as the question we asked was whether or not the County will stand up to its previous commitment.

Item 22 - corres. from NVTH re: vote of the NVTHS District Comm. - Town of Chelmsford must schedule a STM within 60 days of receipt of this letter re: addition to NVTHS. Mr. Currier suggested that the mtg. be scheduled after Dec. 7, in accordance with letter from the Town Clerk (item 24) - it could be perhaps be on one of the Mondays when we do not have a regularly-scheduled Selectmen's Meeting - Mr. Lovering feels that the mtg. should be scheduled by the end of this week. Mr. Lovering noted that if we do not call a Town Mtg. (Special) within 60 days of receipt of this notice, that will be assumed as our concurrence with the addition - he asked what would happen if, on the date of the scheduled STM, a quorum is not reached - what is our legal recourse - the Bd. agreed to request a legal opinion from Town Counsel on this question. Mr. Hart stated that the BOS should take an official stand on this matter as soon as possible.

Item 26 - corres. from Co-Chairmen of MCAB re: general meeting & vote on resolution adopted by Rotberg Study Committee - Mr. Murphy stated that in terms of the Mid. County Engineering Dept., this Bd. has received engineering services from that Dept. on several occasions (Town Line, Graniteville Road layout, Concord Road sidewalks, sidewalk on North Road, etc) and before the BOS make a decision whether we intend to suggest its abolition we should consider the cost effectiveness of the Dept. - amount of money we have rec'd. in terms of engineering services, and weigh that against what the Dept. is costing us-if the Dept. is disbanded, we will have to pay for the services. The Bd. agreed to hold on this item until we receive some cost data from the MCAB - we will put this item on the Nov. 21 agenda.

Item 27 - corres. from Kenneth Carney re: his resignation as CETA Town Planner effective Nov. 11 - Mr. Murphy asked who would take over his duties with regard to the Sen. Cit. Drop-In Center Comm - Mr. Currier informed him that the AA will, with the help of Dave Ramsay.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to adopt the balance of the AA's recommendations on the corres. sum., as amended, and include same in the minutes of the meeting by reference.

The AA reminded the Board of the following meetings: Nov. 8 commencing at 9:30 AM at the ABCC in Boston-Vrouhas appeal & Papa Gino's appeal; fact-finding with the Fire Dept. at Town Hall on Nov. 17; mtg. with FinComm & Pers. Bd. on Nov. 10 at 7:30 PM & mtg. with Walter O'Connell same evening re: DPW Study.

AA Reports

The AA furnished the Bd. with written reports on meeting with Kenneth Tarbell re: septage disposal - it was agreed to allow the Dir. of Public Health to submit data for 3 additional weeks.

The AA furnished the Bd. with a written report on a mtg. with the Police Chief which was held last week.

The AA informed the Bd. that on this date she received the specs for Mill Road - in accordance with her request, the Board agreed to hold off on advertising for bids until the Spring, as most hot-topping plants will be closing on Nov. 15 and based on recent experience (only 2 bids received) it is not a good time to advertise for bids at present.

Mr. Murphy stated that the Appeals Board will be meeting on an application for a combination gas station/variety store - this Bd., in the past, has taken action regarding this matter, as has our counsel - this has been going on for 5 years now, and suddenly after 5 years the party concerned has decided to legalize the business - on a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to go on record with the Board of Appeals as being opposed to the granting of a variance, in view of our past attempted prosecution of this party-we will forward the BOA our file on this matter.

New Business

Mr. Murphy noted that there is quite a bit of debris outside of the bins at Purity - he asked if it is ever picked up or thoroughly cleaned in between the pick-ups, or if there is a rubbish bag or disposal container in which to put the cardboard boxes, etc. Mr. Murphy stated that Mr. Kahn has provided a service to the Community, and the area should be cleaned through our channels. Mr. Lovering suggested that Mr. Kahn should be thanked for the service he provides to the Community. Mr. Lovering stated that he and Mr. McNamara are quite aware of the problem - they have had some difficulties in having the vendor pick up in accordance with the frequency of deposit. They are educating him as to what our needs are in terms of pick up; and in the event that this condition prevails, Mr. McNamara will contact the AA - she will direct the HD to immediately remove the debris that is there & they will take it to the dump - either the current supplier we have will do it, as agreed, or someone else will do it.

Mr. Lovering stated that we have always expressed concern about potential traffic problems in Central Square, and we are very conscious of what the impact would be of any development in the Square with regard to traffic. Mr. Lovering understands that there is an application for another bank in the Square in a real estate bldg. on the corner of the Center where the lights are to be installed - Mr. Lovering suggested that we determine what type of plans the bank has, although we have no right to give approval or disapproval of same, however, as Selectmen, the Bd. should be aware of the traffic implications. The Bd. agreed to request the applicant to come before us to explain his potential solution to traffic-we may have to get Storch Engineers involved also. We will invite the developer/applicant to a Selectmen's Meeting to address these items.

Mr. Hart informed the Bd. of a problemⁱⁿ which he feels the press can be of service -- by enlightening residents that it is illegal to cut trees on private property unless you have the permission of the property owner. Many persons have been cutting trees illegally, and the violators should be advised that they can be prosecuted.

Mr. Currier informed the Board that he distributed each Bd. member with info. re: initiative petition circulating around Town for the Board's review. Mr. Currier said that if any Bd. member has any questions, they can be addressed at the next Sel. Mtg. - Mr. Currier supports this petition which puts a ceiling on State budgets and the amount of revenue which can be generated by^{the} State and there are some controls in it as to how they would control^{if} limited power would be suggested that there is some wordage on mandated programs. If any Bd. member wishes to, he may sign the petition. The petition is from the Citizens for Limited Taxation, directed by Edward King-Mr. Currier stated that the fact that Mr. King is an announced candidate for Governor of the Commonwealth, this should not be construed as a political issue.

Mr. Lovering gave a brief report on the mtg. which he and the AA attended earlier this evening with the Dept. Heads & the Pers. Bd. as follows: the session was held to determine what ideas the Dept. Heads might come up with that would help the Pers.Bd. in doing a better job in terms of dealing with Town Employees, such as step raises, salary ranges, merit reviews and working conditions, etc. In no way was it an attempt to take a position in one way or another on the election for the Town Hall Unionization on Nov. 21, that would not be appropriate under the law.

Mr. Lovering suggested that the Bd. adjourn to Exec.Session to discuss matters discussed earlier this evening with their Labor Rel. Advisors. Mr. Murphy stated that he could not find a just cause for going into Exec.Session within the laws on same. Mr. Lovering moved that the Bd. adjourn to Exec.Session as he feels that if the laws were researched, with the situation that we have - potential union, and the fact that we have a statute which says that we either can or cannot do certain things, the law would read on that allowance - Mr. Currier stepped down from the Chair to second this motion. Roll Call vote was as follows and Mr. Murphy, Vice-Chairman,

Motion to
Adjourn to
Exec.Session
fails

called the vote as follows: Mr. Currier-Aye; Mr. Lovering-Aye; Mr. Hart-Ney; Mr. Murphy-Ney. The motion to adjourn to Exec. Session failed for lack of a majority.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to adjourn the meeting. The Board adjourned the meeting at 9:47 PM.

For the Board of Selectmen, by

Bonitaw

Meeting
Adjourned

Jurors were drawn by Selectman Joseph Shanahan, Jr., on Nov. 21, 1977 as follows: for Lowell - Steward Cady, 180 Tyngsboro Road; for Cambridge - George Mansur, 54 Old Stage Road; Kevin Simpson, 53 Stedman St; Nancy Rebbert, 35 Dalton Road; Fred Heintz, 7 Ruthellen Road; William Pierro, 13 Walnut Road; Janice Brigham, 11 Bentley Lane.

Jurors
Drawn

Regular Meeting of the Board of Selectmen held November 21, 1977. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mr. Currier, Chairman, was out of Town on business and Mr. Murphy, Vice-Chairman, chaired the meeting. Mrs. Haines, AA, was also present. Mr. Murphy called the meeting to order at 7:35 PM.

Members
Present

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to adopt the minutes of the Selectmen's Meeting held November 7, 1977.

Minutes
Adopted

Sealed Bids were opened and read aloud for Finish Hardware for the Senior Citizens' Drop-In Center on Mill Road as follows: Builders Specialty and Hardware Corp: \$1,390; David E. Thompson, Inc: \$1,350; Campbell Hardware, Inc.: \$1,344; Construction Specialties Hardware Co, Inc: \$1,190. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to take the bids under advisement to be reviewed by the SSDIC Comm. and the architect.

Bid Opening:
Sen. Cit. Finish Hardware

Mr. Lovering reported that this past week he met with Paul Bienvenu to discuss recycling and the Swain Road landfill. Mr. Bienvenu has completed the survey and the boundary of the landfill is now defined. Mr. Rondeau has advised Mr. Lovering that we must consider in the near future, moving the brook-the relocation of the brook was always a part of the Swain Road project. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to authorize Paul Bienvenu to prepare drawings for relocation of the brook; when he gets the drawings finished we will authorize him to appear before the Cons. Comm. on behalf of the Town to get necessary approvals; then we will authorize him to go out to bid on the relocation.

Board
Reports

Mr. Lovering stated that 5-6 pieces of property front on Route 40 and back in to the landfill area. The houses are on ^{the} main Street. When the original engineering report was compiled, it was probably thought that the land belonged to the Town- however, under the new survey, we do not own the land. This is the land which we have talked about as a possibility for the expansion of the landfill. The brook is not involved on this land. Mr. Bienvenu feels that it makes sense to consider costs associated with eminent domain or acquisition of these lots at the next Annual Town Meeting. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to authorize the AA and Paul Bienvenu to obtain appraisals for those pieces of property which would allow for the expansion of the landfill in that area - not to exceed the cost of \$1,000, as indicated in the article. Mr. Shanahan went on record as being in favor of the appraisals, however, he will not support taking of any land in that area by eminent domain. The Bd. agreed to further discuss this after the Bid Opening at 7:45 PM.

At 7:45 PM Sealed Bids were opened for sidewalk snowplowing as follows: Chelmsford Theatre: \$30 per hour; Mountain Lawn and Landscaping: \$17.50 per hour-either but not both routes; Cap Cement: \$21 per hour per machine - another bid was re-

Bid Opening:
Sidewalk
Snowplows

Sidewalk SP-
Bid Opening
continued

ceived after the 2PM closing time on this date - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to return the bid unopened, as it was received after the deadline. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to refer the bids to the Hghy. Supt. for his review & recommendation for award.

Board Reports
continued

Mr. Lovering stated that he and Mr. Bienvenu discussed septage disposal - and the existing pools. The BOH, by statute, has the responsibility to provide a place for septage. We have got to get the septage out of the landfill. The systems which seems to work the easiest and cheapest is the open lagoon system which the Town of Acton utilizes, which is nothing more than 3 or 4 pools which are built at different levels, and they drain off one at a time and keep the rotational process going. Mr. Lovering and Mr. Bienvenu feel that we should try to take advantage of what Acton has done, and try to create the same type of facility in Chelmsford. One piece of land in Town could be utilized - it is along the Merrimack River and the Town owns it - it was purchased with the idea that it would be used as a sewer treatment facility. In terms of terrain, Mr. Bienvenu feels that it is the type of land that is perfect for this type of self-contained facility. Mr. Lovering suggested that we indicate a willingness to work with the BOH in considering that location as a potential site for that facility. This would allow the BOH an opportunity to respond to the State in good faith, would allow Mr. Bienvenu or their designee to investigate the Acton system, would allow the BOH to put together the dollars they would need to come to the Townspeople, etc. Mr. Hart feels that this land is clay-based, and he would be surprized if this type of facility could exist there. Mr. Bienvenu feels that the soil is very sandy; the brook is physically removed from that area; there would be no interference with the Little League field, as the land is separated by the brook. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to communicate with the Board of Health and advise them that we would endorse their consideration of the site along the Merrimack River, as long as they inspect the site with Mr. Tarbell from the State and Mr. Bienvenu, as a possible site for a facility similar to the Acton facility - the BOH should report their findings back to the BOS in order that the Bd. can make a final judgement.

Mtg. re: 'no
parking' in
Fire Lanes
not held

Mr. Murphy stated that the 8PM meeting with shopping center owners re: fire lane parking restrictions will not be held this evening, in view of the fact that the AA was advised by Mr. Rollo (Fields) that his firm cannot attend - Fields sent a registered letter to this office dated Nov. 17 which we have not received yet, which indicates their unwillingness to restrict parking in their fire lanes and documents same in detail. We have received verbal communication from DeMoulas Supermarkets that they will abide by the Board's request for no parking enforcement in their fire lanes. Mr. Carye and Mr. Kahn have both agreed to abide by the no parking in fire lane restrictions. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to request an opinion from Town Counsel as to a legal requirement which may have to be met regarding enforcement of no parking in fire lanes - we may have to obtain an easement (to enforce ticketing) to properly enforce same. The Bd. agreed to wait for receipt of Fields reply - the AA can investigate with the Post Office the location of this letter.

Town Counsel
Reports

The Bd. is in receipt of a report from Town Counsel re: date for Special Town Meeting - if the Town Meeting does not have a quorum, it cannot vote its disapproval and the District Comm. may incur the debt. The statute says that the vote must be taken within 30 days, and the letter to us from the NVTHS stated that it must be held within 60 days - Town Counsel feels that this could result in possible litigation. Mr. Lovering is opposed to this, as are Mr. Hart and Mr. Shanahan.

AA Reports

Mrs. Haines reported that based on concerns she had with drainage & sidewalk projects, she met with Paul Bienvenu and the contractors this AM - she has provided each Bd. member with copies of her reports re: bonding & completion date, etc.

She met with Wm. Belleville and Robert Harvey. Mrs. Haines requested that the Bd. either accept the status report each contractor provided this morning, or invite both men to the next Sel. Mtg. to discuss this matter. The Bd. agreed to communicate with the School Dept. that certain sidewalks are complete, and others will not be completed until the Spring of 1978, and we will ask the School Dept. to adjust their scheduling in busing-we will keep them posted on any further info. we receive. Mr. Lovering commented that when he met with Paul Bienvenu last week, Mr. Bienvenu had expressed concern that both areas (sidewalks & drainage) were progressing at a very slow pace, and Mr. Lovering agrees with this. A mtg. was scheduled this AM at 9:00 to review the progress with one firm and another at 10:00 AM with the other firm. Mr. Lovering stated that he was present at Town Hall for the 9AM mtg., when a member of the Bd. called and indicated that the contractor would be half an hour late, and at that point Mr. Lovering left the Town Hall. He stated that he is extremely disappointed with the performance of the contractors in both areas. Mr. Lovering feels that the Bd. should take some time to evaluate the report prepared by Mrs. Haines. Mr. Belleville has not been issued any contracts from this office, and the other contract must be sent back to the bonding company for an additional change. The Bd. agreed to review Mrs. Haines' report and place same on the Agenda for the Dec. 5 Sel. Mtg.

Mrs. Haines reported that the Town Hall employees voted 18 in favor, two opposed to the Unionization of Town Hall Employees on this date. One ballot was voided as the employee had signed his/her name - a total of 21 employees voted to join the National Association of Government Employees.

Mrs. Haines has received many calls this past week about the observance of Thanksgiving Day this year and the holiday closing. In the past, the Bd. has voted to close the Town Hall at Noon on the Wed., and a Skeleton Force works on the Friday following Thanksgiving. Mr. Lovering stated that he feels that we should recognize the situation which we are in, and go from there. The Board agreed that the Town Hall will remain ^{open} during the regular business hours on Wednesday and Friday - a notice of this will be posted on the bulletin Board in the Town Hall and written notice will be delivered to all Town Hall & Emerson House Department Heads.

Mrs. Haines feels that with regard to the filling of the two CETA positions (Town Planner & Purch. Agent) which are currently vacant, at this time she recommends that the Board should not fill either position, as the office staff has been handling most of the work - perhaps they should be filled in the Spring. Mr. Shanahan and Mr. Lovering and Mr. Hart concurred with Mrs. Haines, Mr. Murphy feels that the positions should be continued. The Bd. agreed to place this under Unfinished Business on the Dec. 5 Agenda for further discussion.

Mrs. Haines reported that fact-finding for the Fire Dept. was held on Nov. 17 at the Town Hall. Attorneys for the Union & Town agreed to file their briefs by Jan. 24, 1978 with the fact-finder.

At 8:30 PM an informal public meeting was held with residents of Graniteville Road re: layout. The meeting was conducted in the outer meeting hall due to the crowd. J. Paul Bienvenu was present, as was Mr. Philip Lynch, Chief County Engineer. Mr. Murphy stated that the map had been on the wall for residents to review since the last public meeting, and after this meeting it will be removed, as hopefully, any residents who have questions regarding the layout will ask them this evening, however, anyone wishing further information can call the Selectmen's Office for info., or may view the map in the Office. Mrs. Elsie LaHaise, 66 Graniteville Road, asked what the next step will be - Mr. Murphy told her that the Selectmen will petition the County Commissioners to accept this plan as the official layout - they will conduct a Public Hearing, notifying abutters whose land would be taken, and will vote, officially, on our request. Mr. Lovering assured the residents that if sidewalks are to be installed on Graniteville Road - action will have to be taken at an Annual Town Meeting regarding same. Harold Witt, 106 Graniteville Road,

Informal
Public Mtg.-
re: Granite-
ville Road
layout

Informal mtg.
re:Granite-
ville Rd.lay-
out
continued

asked what would happen at the public hearing with the County Cmsnrs. Mr. Lynch informed him that the hearing would be to re-define the entire length and any land takings that occur would be discussed at that time. The County would have to attempt to purchase the necessary land by eminent domain and compensate the owners for their loss-the owners of the property have the right to go to Court to dispute same, if they so desire. George Frash, 255 GR asked if sidewalks were installed on GR, would more children walk to school - the School Comm. previously indicated that this would be the case. David Wilcox, 205 GR stated that he feels that there will be a problem with the walkers on snowy days. Dick Fisher, 244 GR, asked if the sidewalks will abut the road - in some cases they will; however, in other cases they will not. Patrick Wood, 232 GR asked if some children will be attending different schools, as a result of the construction of a sidewalk on GR-in some instances, it will make more sense to do this, and some students will be attending other schools. Paul Dragon, 117 GR asked if anyone had addressed the question of moving fences, etc. - Mr. Bienvenu stated that this is part of the contract. Mrs. LaHaise asked if trees would be removed - Mr. Bienvenu stated that only if it is absolutely necessary, will trees be removed. Mr. Paul Higgins, 135 GR asked what the process is by which the County Cmsnrs. accept this layout-Mr. Murphy informed him that the BOS petition the CC to formally accept the layout-the CC conduct a public hearing (with written notice to residents in a newspaper in this area) those persons with proposed land taking will be notified in writing of the hearing by the County Cmsnrs.; after the hearing the County Cmsnrs. will take an official vote; if they vote to accept the layout, they must institute the appropriate eminent domain proceedings to guarantee that those people from whom land is to be taken, will be compensated. Carol Leven, 220 GR was assured by Mr. Murphy that before any sidewalks are constructed, Town Meeting action will have to be taken on same. Mr. Bill Walsh, 155 GR objects to the layout - he feels that as no written explanation was given for the change in layout and as the County Engineering Dept. may be disbanded, he feels that we could get into trouble. Mr. Murphy stated that if the County Engineering Dept. is discontinued, the Community will have the responsibility for the sidewalks. Mrs. LaHaise stated that she feels that an island should be constructed at Richardson Road and Graniteville Road, as that is a very dangerous section. The hearing was adjourned at 9:05 PM. On a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to petition the County Commissioners, formally, to accept the layout of Graniteville Road as indicated on the plan.

Unfin.Bus.

The Bd. agreed to hold on appt. to Hist. Dist. Comm. (Alternate) in order that the law can be reviewed. The alt. was not re-appt. last Spring. Mr. Lovering feels that more input should be received from the business community on the HDC. Mr. Shanahan moved the appt. of Mrs. Catherine Seminatore, 180 High Street, to the HRAC-she was unan. appd. by the BOS.

The Bd. agreed to hold on appt. to the Historical Comm. until 12/5/77.

Mr. Lovering moved to appt. Jeff Sugden as Youth Center Part-Time Supv. Motion failed for lack of a second. Mr. Sugden is a resident of Billerica - on a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to inquire of the YCAC as to whether or not there are ^{any} residents of the Town capable of filling this position, if so, the Bd. would like the person's name & resume - this can be accomplished by a telephone call.

The following persons were appd. to the CETA program in the following capacities: On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Henry Mullholand as laborer in the Cem. Dept. at the specified salary; Paul Donovan & Richard Firth were appd. to the Hghy. Dept. at the specified salaries as laborers; John Kane & James Bigley were appd. to the School Dept. at the specified salaries as school security guards.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to establish the date of Tuesday, Dec. 13, 1977, as the Special Town Mtg. at the McCarthy Jr. High School Auditorium. The articles will be as follows: NVTSH addition; anti-recession funds; Chelmsford/Westford Town Line change; Rec. funding for Crystal Lake.

The Bd. discussed the license fee for Jack's Diner for a Beer & Wine License. The applicant, Mrs. Ann Lloyd, suggested that the fee be pro-rated, as she has not exercised it to date - she feels that she should only pay one-twelfth of the fee. Mr. Murphy stated that in the past the Bd. has not pro-rated license fees, and he does not feel that we should now, unless the Bd. changes its policy. Mr. Lovering can envision a 6-month pro-ration, only after the issue is studied - Mr. Lovering suggested that we ask the Lloyds to wait until Jan. to exercise the license - the Bd. agreed to this.

The Bd. discussed budget policy - in the past the Bd. has given direction to the Dept. Heads re: budgets for upcoming year. The AA agreed to leave a copy of last year's guidelines out for the Bd. to review in the Sig. Folder in the upcoming week. The FinComm members are splitting up and taking small groups for budget review - the AA suggested that perhaps the BOS could do the same thing - the Chairman can decide who will handle which budgets and provide the Bd. with a listing asap.

Mrs. Haines stated that she was lead to believe by Chairman Currier that the Liquor License Inspections will not take place until the Spring of 1978. Mr. Shanahan stated that on Friday afternoon he received a message that the inspections were scheduled for Nov. 19, later on Fri. afternoon he rec'd. a message that they would not be held on Nov. 19 and he feels that in the future, when dealing with individuals weekend schedules, more than 12 hours notice should be given on mtgs, etc. Mrs. Haines indicated that Sel. Hart and Lovering indicated that they could not be available on Saturday. Mr. Lovering does not feel that the inspections should be conducted during the holiday season. The AA did not think that Sel. Shanahan would be participating in the license inspections. After speaking with Mr. Currier, it was determined that just Sel. Currier & Murphy would be available, and Mr. Currier suggested that the inspections be postponed. The Fire Chief & BI have inspected the licensees premises, and they have found no violations. Mr. Hart stated that he would not sign the licenses unless the BOS inspected the premises. Mr. Lovering pointed out that the law states that the BOS may inspect - it is not mandatory that the BOS inspect the premises. Mr. Lovering moved that the Board renew all liquor licenses based upon the reports from the Fire Chief and BI - Mr. Murphy stepped down from the Chair to second this motion. Mr. Shanahan took the vote as follows: Two in favor, Mr. Murphy & Mr. Lovering; one opposed - Mr. Hart; one present - Mr. Shanahan in accordance with his April 26 point of privilege; one absent - Mr. Currier - motion passed to renew 1978 Liquor Licenses.

To date, the Bd. has received three approvals from residents of Fairbanks Road for easements - no reply has been received from the other residents. The Bd. agreed to ask Paul Bienvenu if we can proceed with only 3 easements and get the project moving.

The Bd. agreed to forward the lease for the MCTS to the RecComm. for their signatures - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to forward it to the RecComm. for execution.

in favor, one opposed - Mr. Lovering,

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was voted three to ratify bid award for sidewalks on Acton Road to Wm. Belleville-Chelmsford Paving Co. Inc., in the amount of \$2.22 per linear foot.

Item 3 - corres. from Jerry House to Linda McClellen re: CETA Title VI-B projects - Corres. Sum. the Bd. agreed to hold on this until 12/5 to review the document - this was unan. voted on a motion by Mr. Lovering, seconded by Mr. Shanahan, as there are some additions which Mr. Lovering does not approve of with regard to the Recycling Office.

Item 12 - corres. from Roger Welch re: school crossing gds. insurance - the Bd. agreed to forward a copy of this corres. to the guards for their info.

Item 13 - corres. from Ken Harkins re: interest in land under ownership of No. Chelmsford Water Dist.- on a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to ask the BI whether or not a variance would be required in this case, in accordance with the zoning bylaws.

Item 15 - corres. from Gov. Dukakis re: joint annual mtg. at which court reform was discussed (MLC&T MSA) - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to advise our legislators that we would like to see that money come back to the communities and not be spent by the Cmsnrs. on any other projects, we want some guarantees that court reform will provide financial savings in terms of the tax rate in the community.

Item 17 - corres. from Louis Rondeau re: E.J. Bleiler claim re: sander - on a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to advise Mr. Rondeau that the BOS agree with his statement and we support him - the Bd. agreed to advise the HD not to pay this invoice until the problem is settled.

Item 18 - corres. from Wallace MacQuarrie re: Chelmsford/Westford Town Line - the Bd. agreed to forward a copy of this corres. to the O'Connells-the AA will contact Westford asap and ask them what their intentions are re: change in line.

Item 21 - corres. from Mass. Mun. Assoc. Joint Legis. Office re: initiative petition drive - Mr. Murphy requested that all petitions be returned to him within the next week in order that he may return same.

Item 24 - corres. from Howard Wayne re: Papa Gino's & liquor licenses in Town - presently, there are 17 more All Alcoholic Licenses available in Chelmsford.

Item 25 - corres. from Storch Engineers re: traffic control improvements in Central Square. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to approach the owners of the property which will have to be taken by eminent domain or purchased - a Bd. member will be assigned by Sel. Currier as a liason to work with the residents regarding this-there will be an improvement to their property.

Item 35 - corres. from Robert Crowe re: mtg. with Chiefs - Mr. Lovering suggested that for the record, the mtg. will be to discuss their benefits and not the bargaining contracts.

Item 37 - corres. re: MCAB mtg. - the Bd. agreed to hold on this until 12/5/77 to determine whether or not Sel. Currier attended this mtg.

Item 42 - corres. from Chief Reid re: ins. - Mr. Lovering will review this after the fact-he has no objection to the AA's recommendation.

Item 46 - corres. from Adv. Div. re: renewal permit for Alpine Lane sign - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask the BI to review the certification comments which are indicated on the back of the form from the Adv. Div., as it relates to a special permit; and the question of the location of area signed is not completed-we will ask him to review this and return same to us completed.

Item 49 - corres. from Mr. & Mrs. Gelais re: selling of Yule logs & wreaths-the Bd. agreed to forward this to the BI for his response within one week-we will notify them by telephone of our action in referring this matter to the BI for zoning.

Item 50 - corres. from Robert McManimon & Bernard Battle re: Varney Playground and Edwards Beach - the report should be released to the news media and the Bd. should take a position on the comments contained in the report. Mr. Lovering read a portion of a 1972 opinion from Town Counsel which indicated that the existence of a VPC was not mandatory- the Bd. agreed to forward a copy of this opinion to the members of the VPC for their review, and invite Harry Ayotte to the next Sel. Mtg. (Dec. 5) to give the Bd. his minority report-this was unan. voted on a motion by Mr. Shanahan, seconded by Mr. Lovering. Mr. Lovering stated that the opinion from Town Counsel states that the land must be used for recreational purposes, and it must be called 'The Varney Playground' - Mr. Lovering stated that he is disgusted with the feuding between the VPC and the RecComm - he feels that the VP can be taken care of just as well by the Park Dept. or the RecComm. Mr. Lovering is not advocating, tonight, the abolishment of the VPC, but the opinion says that we can, and unless we can begin working together, this may happen. The other members of the VPC will be invited to our mtg. also.

Item 67 - corres. from Donny Newcomb requesting permission to use the Town of Chelmsford Seal for the Royal C-Ber's - Mr. Hart moved that permission be granted- Mr. Shanahan seconded the motion-Mr. Murphy and Mr. Lovering were opposed - motion failed due to a tie vote. The Bd. agreed to place this on the Agenda for Dec. 5 when the full Bd. is present for a vote.

Item 63-corres. re: abolishment of Ins. Sinking Fund - the AA will notify the members of the ISF and the Treasurer of his new responsibilities.

Item 55 - corres. from ABCC re: Charles Vrouhas appeal - the ABCC remanded the matter to the local board for a complete & adequate statement of reasons to the applicant. Because a letter was to have been forwarded with reasons of Mr. Currier & Mr. Hart, Mr. Lovering stated that he would like to forward a letter to the ABCC stating that some of the reasons which Mr. Currier & Mr. Hart listed in their response were not, in fact, a part of discussion at the mtg. when the vote was taken. Mr. Murphy agreed to this statement, and he stated that two of the reasons were never discussed at the mtg. - they were: zoning matter regarding Mr. Vrouhas & violation of same; and two instances of selling alcoholic beverages to minors.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the balance of the AA's recommendations on the corres. sum., as amended, and to include same in the minutes of the meeting by reference.

Mr. Shanahan asked the AA if she was aware when the Bartlett St. barrier would be going up - she will ask Mr. Rondeau about this - previously, he indicated that if funds were available, the project would commence.

New Business

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to ask the Town Eng. to meet with Mr. Loiselle to discuss the removal of the slope granite curbing in front of his home on North Road, and replacing of same with a stone wall.

Mr. Lovering commented on today's vote which provided for unionization of Town Hall Employees. Mr. Lovering stated that the Chelmsford Personnel Board, which is charged with the responsibility of maintaining relations with the BOS, as well as others, did, in fact, take a vote to endorse, formally, the creation of the Union. That is somewhat ironic that the organization that the Town hoped would be at least the guiding factor in maintaining good relations, would have seen fit to do that. He does not think that that vote should have been taken.

Mr. Lovering commented that there was some discussion indicating that we might see a strike in the Highway Dept. if we have a storm - the AA will work on a contingency plan with Mr. Rondeau and give the Bd. a report within the next 3-4 days.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to request the

Police Dept. to look into the possibility of slowing down the heavy truck traffic on Graniteville Road by a four-way stop sign at Graniteville Road and Berkeley Drive (near Castlewood Drive).

Mr. Hart commented on Mr. Lovering's comments re: letter from ABCC on Vrouhas appeal - Mr. Hart read the letter from the ABCC received on Nov. 10 - no where in that letter does it say anything about specifics of where the reasons came from, or when they were placed on file, or what they are.

Mr. Murphy addressed the method of paying for unemployment compensation - the Supt. of Schools has recommended the 1% contribution technique - the Town Acct. has recommended that it should be funded as if we were to pay under contributory rate yet actually choosing the reimbursement rate-when we go to Town Meeting we can put a dollar figure in that acct. consistent with the contributory rate of 1%. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to choose the reimbursement method and advise the Dept. of Employment Security. The Budget Item is to be funded at the 1% rate at Town Meeting. The Board further agreed to send a letter of appreciation to the Town Acct. for his hard work on this matter.

Mr. Murphy stated that each Bd. member received a Reg. Letter from the Cemetery Comm. to place an article in the warrant to have voted as a Referendum Question by ballot at the Town Election whether the Town chooses to give life tenure to Mr. Baxendale, Cemetery Supt. Mr. Murphy read a portion of the statute dealing with this matter. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to deny the Cemetery Commissioner's request to place this referendum question on the ballot for the next Election-the AA will inform the Cem. Cmsnrs. of this vote.

Mr. Murphy commented on the large groups of people attending the Board of Appeals Hearings - they are restricted to a very small area and it is difficult to make a presentation. Mr. Murphy suggested that we encourage the BOA to meet some where else, in view of the amount of bldgs. which the Town has control of at present - this would guarantee that the people before the BOA would be adequately heard. Mr. Lovering commented that the BOA wait until all of the hearings are over before they give any decisions - they vote at the end of their meeting and this is most unfortunate because there are alot of people who would like to see the benefit of their debate and vote, just after the presentation. Mr. Lovering suggested that they try to do a more creative job in scheduling to accomplish allowing the votes to be taken after each hearing-Mr. Lovering feels that they have a public responsibility to do it that way. The Bd. agreed to request the BOA to look into the possibility of meeting somewhere else (to accomodate a larger group); and to ask them to consider giving results of votes immediately after each hearing, which will be more beneficial to the applicants.

The Bd. agreed to have the AA confirm the fact that we have responsibility for the McFarlin School-the Bd. of Appeals may consider utilizing one room for their hearings in that bldg. The AA stated that at this time, she has no funding for heating or lighting of that facility.

Mr. Murphy requested that Mr. Day forward the Board, prior to Jan. 1, 1978, necessary information for a mtg. with the BOS re: 5-year plan, in order that the 5-year plan can be included in the 1977 Annual Town Report - he can update the figures within the next month.

Mr. Murphy stated that the Dept. of Community Affairs has technical expertise re: reuse of old bldgs - the AA will notify the Spec. Proj. Asst. Dave Ramsay of this.

Mr. Murphy addressed temporary signs in the Drum Hill area - any temporary signs are supposed to conform to the sign bylaw-and many do not. The Bd. agreed to ask the BI to determine what right the 'sandwich boards' have to exist, in terms of the existing and old sign bylaw - this was unan. voted on a motion by Mr. Shanahan, seconded by Mr. Hart.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 11:05 PM.

For the Board of Selectmen, by

Bonita Toole

Regular Meeting of the Board of Selectmen held December 5, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Lovering. Mr. Hart was out of Town business. Mrs. Haines, Adm. Asst., was ill and was not present. Mr. Currier, Chairman, called the meeting to order at 7:35 PM. The Board agreed that due to the heavy snowfall, they would attempt to adjourn the meeting by 9:30 PM.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to adopt the minutes of the Selectmen's Meeting held Nov. 21, 1977.

Mr. Lovering reported on progress of Col-East, the firm performing the aerial mapping from North Adams, Mass. Mr. Lovering, Paul Bienvenu and the Adm. Asst. Mrs. Haines went to Col-East last week and saw the progress on our aerial mapping project. Mr. Lovering explained to the Board the progress to date - they will probably complete the project by Feb. or March of 1978. Mr. Lovering suggested that the plates, if possible, be reduced to 8½ x 11 and placed in the upcoming Annual Town Report. It was agreed that when the maps are finished, a workshop/seminar should be held in Town for all of the groups who will use them, in order to educate everyone on the use of the maps. Mr. Lovering noted that swimming pools are being noted on these maps-this will help the Assessors in their assessments.

Mr. Currier reported that a mtg. was held with the Police Chief last Monday evening at which time the drug problem was discussed; a work session was held this past Sat. with the Hghy. Supt. at which time budgets and the Highway Program were discussed.

Mr. Currier reported to the Bd. that he has met with Dick Sullivan of the FinComm on three occasions-it is hoped that the ground rules for the budget policy will be formulated by Dec. 8.

Mr. Currier has been carrying on a dialogue with Dr. Rivard and a suggestion will be prepared for the next Sel. Mtg. re: Drug Abuse Committee.

The Board discussed the appointment for alternates to the Historic District Comm- the Board agreed to hold on this item as they would like to review the Town Bylaw, not the State Statute. This will be placed on the 12/19 agenda.

The Board discussed appointment to the Historical Commission. A recommendation was rec'd. from the CH of the Hist.Comm. for appointment of John Hamilton, 15 Bartlett Street - another application was on file from Robert Sheridan. Both names were placed in nomination. Roll Call vote was as follows: Mr. Murphy-Mr. Hamilton; Mr. Shanahan-Mr. Hamilton; Mr. Lovering-Present; Mr. Currier-Mr. Hamilton. Mr. Hamilton was appd. to the Historical Comm. by a majority vote.

Corres. was on the Summary from the Youth Center Coord. re: interview process for part-time supv. for the Youth Center - on a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to appoint Jeff Sugden, 122 Treble Cove Rd., Billerica, as the Youth Center Part-Time Supv. at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Nancy Woods and Ronald Farr as Housing Needs Surveyors under the CETA Program at the specified salaries, in accordance with recommendations from James Fox, Supv. of the Housing Needs Survey.

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Meeting
Adjourned

Members
Present

Minutes
Adopted

Board Reports

Unfin. Business

Unfin. Bus.
continued

Article Assignments for the Dec. 13 STM are as follows: Article 1-C/W Town Line-PC; Article 2-trans. to meet bills-WM; Article 3-Antirecession-PH; Article 4-Edward's Beach-AL; Article 5-Nashoba addition-JS. Re: article 1, Mr. Murphy is concerned that we have not rec'd. corres. from the Bd. of Assessors, and he is not aware, personally, of the contents of the article.

The Budget Policy will be completed and in the Reading Folder for Thursday - the Budget Assignments have been given to each Board Member - Mr. Murphy suggested that he be responsible for the Youth Center Budget, as he is on the YCAC - the Bd. will review same and advise the Chairman of any further changes they would suggest. A FinComm member has been assigned to work with BOS member for each session.

The Bd. discussed Drainage & Sidewalk Contracts - Mr. Lovering stated that he is disappointed with the progress on both projects to date. Mr. Currier stated that he is very upset with Chelmsford Excavating's work; and half of Mr. Belleville's work is completed to date. Paul Bienvenu was not satisfied with the response of the contractors either. Mr. Lovering stated that we should re-evaluate both projects in February. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to invite the drainage contractor, Chelms. Excavating, to the next Sel. Mtg. to determine why the contract was not completed by Nov. 9.

Chairman Currier reported that he could not attend at Nov. 17 mtg. of the MCAB as he had a previously-scheduled mtg. with the FinComm - he has requested the AA to request a copy of the minutes for the Board's review.

Class III ADL hearing recessed Mr. Currier opened a public hearing on the renewal of Charles D'Angelo's Class III Auto Dealer's License at No. Chelms. Auto Parts, Sleeper Street - the Bd. recessed the mtg. as Mr. D'Angelo was not present at 8PM. The Bd. will re-open the hearing when he arrives.

Corres. Sum.

Re: corres. item 20-Mr. Lovering stated that the Mgr. of Bos'n's ^{Whistle} in the audience and Mr. Lovering suggested that this be taken out of order. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to approve the change in menu at Bos'n's Whistle. In the future, it was agreed that changes of this nature need not come before the Board for approval.

Mtg. re: Town Wide Cult. Comm. cancelled

The 8:05PM meeting with the Town-Wide Cultural Comm. was cancelled due to the inclement weather. They had sent the Bd. a letter (item 15) indicating their objectives, philosophy and long-range objectives. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to inform the TWCC that the Board endorses their objectives as being worthwhile and the Bd. suggests that they move forward with plans of implementation of their objectives - when they feel ready, another mtg. can be set up with the BOS to discuss their finalized plans. The Bd. further requested that you inform them as to how you plan to finance a center.

Unfin. Bus.
continued

Re: request of Royal C-Ber's for use of Town Seal on patches, the Board, on a motion by Mr. Shanahan, seconded by Mr. Murphy, unan. voted to inform the C'Ber's that the Board will allow use of the seal in an unmodified manner - it was suggested that the words 'Royal C-Ber's' be placed outside of the Town Seal, itself,

No. Chelms. Auto Parts Hearing for renewal of Class III ADL - 8:10pm

At 8:10 PM the Board re-opened the public hearing for North Chelmsford Auto Parts, Sleeper Street, North Chelmsford, as Mr. D'Angelo had arrived - he was detained due to the snowy conditions-he presented all Ret. Receipts. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to renew Mr. D'Angelo's Class III ADL - no one was present in favor or opposed to this license - Mr. D'Angelo has repaired the fence in the area in which it was broken.

A very lengthy meeting was held with James O'Sullivan of the Lowell Regional Trans. Authority; Helen Doyle, a Byam School volunteer; and Kathy Robinson, Town Aide. Roger Welch was also present. The purpose of the mtg. was to discuss elderly transportation and means in which older residents of Chelmsford can get trans. to Boston for hospital and doctor's visits. Mr. O'Sullivan explained in detail the legislation and format of the LRTA, after which time the Board asked him questions regarding same. Mrs. Robinson stated that she can see, as the only solution to our problem, the possibility of joining in with other area Towns for these trips to Boston. Mr. Shanahan stated that although he has requested no new services in the upcoming budgets - he feels that some increases will have to be made for the elderly in the COA budget - some priorities should be given to their needs. Mr. Lovering stated that the problem we had was with CTI - services were dropped, and we don't have any other options open - any change (joining LRTA) would have to be approved at Town Meeting. Mr. Murphy stated that in the future, when Mrs. Robinson becomes aware of problems of this nature, she should notify the AA or the Board immediately - if only by circling in red the minutes of the mtgs. she attends (as the Bd's. rep) and leaving same with the AA to alert to Bd. to upcoming problems which she may become aware of at these mtgs. Mr. O'Sullivan stated that LRTA had a choice late last Summer & were approached & advised

that Elder Services would cut off service and they were asked if there was any way in which they could help. LRTA then had 2 choices - a) drop the entire request as it was not in their schedule; or b) contract with CTI to provide service where they could. Mrs. Doyle re-iterated her comments from the last meeting re: need for elder citizens for trans. to and from Boston and needs in Town which cannot be filled - she feels that perhaps another COA bus should be purchased to help meet the needs of our elderly. Mrs. Robinson stated that it has been estimated that in 1980 the Town of Chelmsford will have a total of 4,000 elderly citizens. The Bd. suggested that Mrs. Robinson carefully estimate the added needs of our elderly and include same in her budget. At this point in time, there appears to be no solution in site for the trans. problem to and from Boston.

A meeting was held with Atty. Jack Carragher, representing Commonwealth Federal Bank re: proposed location of bank in building owned by Al Wilson on corner of Billerica Road and Chelmsford Street. The meeting was held to discuss traffic and parking in that vicinity, should the bank be situated in that location. Comm. Fed. filed an application before the Federal Home Loan bank to establish a second bank in the Town of Chelmsford - protests were filed by several other financial organizations in Town. Mr. Wilson would continue to utilize the second floor for the conduct of his Real Estate business - the entire first floor would be leased to Comm. Fed. The protests stated that the addition of this bank to the community would increase congestion in Central Sq. Two hearings were held by the Historic District Commission for a certificate of appropriateness. Comm. Fed. engaged the services of a Boston architect, Bob Verrier, to help with the architectural design. Mr. Carragher left a plan of the proposed changes in the area with the Board for their review. Mr. Carragher feels that there is no violation of the zoning bylaw re: parking-they are sufficient in number and size & meet the location requirements for parking in a CD district. Comm. Fed. will maintain a sign across the face of the building, in compliance with the bylaw; Mr. Wilson will maintain a free standing sign which will eventually be moved. On behalf of Comm. Fed. Mr. Carragher will request two variances from the Bd. of Appeals - 1 to maintain two free-standing signs on the property (1 on Billerica Road, 1 on Chelmsford St.); the other variance will be to maintain parking area at the northerly side closer than 20 feet, as it unduly restricts the area. Mr. Carragher requested & received a copy of the Storch Plan re: traffic pattern, from the Sel. Office. The bank has provided for 'entrance only' signs & 'exit only' signs and stone walls & lighting to identify these areas. There is a drive-up window but it is not of the automated nature. The bank does 90% of its business by mail. The Storch Plan has some small amount of land takings-these will not

Mtg. re:
Elderly trans
portation -
LRTA & COA

Mtg. with
Atty. Jack
Carragher re:
proposal for
parking for
Com. Fed. bank

Mtg. with J.
Carragher re:
Com.Fed.bank
continued

effect the area required for parking by the bank. The employees of the bank will not be allowed to park in the parking lot - Mr. Carragher will speak to Mr. Wilson about giving the land to the Town. Mr. Currier suggested his concern re: drivers coming up Chelms. St. making a left-turn onto Bil.Rd., and then a further turn into the bank parking lot - Mr. Currier feels that would cause a problem with traffic coming down Billerica Road. Mr. Currier said he would rather see the traffic go up Wilson Street onto Billerica Road. Mr. Currier suggested that a solid yellow line be painted on Bil.Rd. in order that there would be no left turn onto Billerica Road - Mr. Carragher stated that if this is going to be the stipulation, his client will live with it. The bank plans on being in the bank in May, 1978, possibly even before that. Mr. Shanahan stated that he has nothing against the Com.Fed. Bank, or against the plan; however, he will not vote in favor of this bank in this location, as he does not feel that a bank should be situated in this location ^{due to heavy traffic}. Mr. Carragher stated that he will go to the HDC and advise them that the stone walls, etc., will not be constructed until the Storch Plan and funds are approved at Town Meeting. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a copy of the minutes of this mtg. regarding this subject to Storch Engineers for their review - Mr. Carragher suggested that if Storch would like to speak to someone from the bank, Mitchell Kajanka will meet with Storch to review the plans.

Mtg. with H.
Ayotte-minor-
ity report -
Varney Play-
ground

A mtg. was held with Harry Ayotte, a member of the VPC re: his minority report on Edwards' Beach & Varney Playground, and Crystal Lake. The Bd. agreed to provide copies of this report to the press. Mr. Ayotte was present and stated that he feels that the report submitted by the other two members of the VPC was quite negative - he feels that swimming will go on at the Lake with or without lifeguards and supervision. Mr. Ayotte stated that there was never a problem with the sanitation facilities at Edwards Beach - Mr. Morris of the BOH has never been inside of the facility. No one knows where the septic tank is - no tests have ever been made on same. The residents, at Town Meeting, will have the final say in the matter re: beach, lifeguards, etc.

Unfin. Bus.
continued

Bids for surplus town equipment were awarded as follows: Robert Bennett-1 nozzle shut off & tip-\$5; Leon Pigeon-3 electric motors, misc. venting & blowers-\$2; mower for Gravely tractor-\$5; Sears snow blower-\$15; Dracut Musties Team-remainder of Fire Dept. equipment-\$107.66. The Board agreed to hold the Trueline Striper for future use & repair, if necessary. Mr. Currier suggested that the remainder of the items which were not bid be held for a period of time, as he has received calls about items which some residents may wish to purchase, before we sell the remainder as junk.

Corres. Sum.

Item 1 - corres. from Robert Soo Hoo, Mai Kai requesting permission to stay open until 2AM on Sunday morning, New Year's Eve-Jan. 1, 1978 - the Bd. agreed to have the AA review the legality of this-Mr. Murphy stated that he feels that the legislation will not allow the Bd. to do this on a day to day basis. The AA will provide the Bd. with a report on this on Dec. 19.

Item 2 - corres. from architect for SCDIC - the amended total of the bid award for finish hardware is \$1,190 - on a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to amend same.

Item 5 - corres. from Chief Germann re: Varney Playground-on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the Chief that the Bd. does not agree with his reasoning in item 1- one officer could stay in the cruiser and the other officer could investigate the beach-the Bd. did not accept item 1.

Item 11-Board discussion on corres. from Town Counsel re: Sheehan Property - the Bd. agreed to hold discussion on same until Mr. Hart is present 12/19.

Item 12 -corres. from Ann Kaplan re: Mer.Val. United Fund-Mr. Shanahan suggested that a CETA employee take on the responsibility of coordinator; however, Mr. Day will serve as coordinator this year.

Item 14 - corres. from Governor Dukakis re: out of state motor vehicle registrations - Mr. Murphy stated that the Town Treas. has a program and we welcome support of our residents in phoning in **out of state** plates on vehicles owned by residents.

Item 16 - corres. from John Correll, 70 Old Stage Road re: vandalism in their neighborhood - in addition to requesting a report from the Police Dept., the Bd., on a motion by Mr. Lovering, seconded by Mr. Shanahan, voted to forward a copy of this to Robert Sheehan, in his review of the Police Dept., for his review - the Bd. will advise the Corrells of this action. Mr. Currier stated that in the area of Old Stage/Chelmsford Farms, we have some very serious problems re: vandalism - we will communicate to the Police Chief the Board's concern with thefts, etc., in these areas, and request a report on how to curb same from the Chief.

Item 18 - corres. from the ABCC re: Papa Gino's appeal - the Bd. agreed to place this item on the Dec. 19 agenda for discussion and vote.

Item 26 - corres. from Hghy. Supt. re: fence on Phoenix Property - on a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to request the Hghy. Supt. to inform the Bd. whom he feels should replace the fence properly ($\frac{1}{2}$ is on the Phoenix Property, and the half is on DeMoulas property) - the contractor or the Hghy. Dept., as the Hghy. Dept. moved the fence to the wrong location, however, the contractor should have corrected the problem originally.

Item 29 - corres. from the Hghy. Supt. re: increase for sanders - per mtg. with the Hghy. Supt. this past Saturday, on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to indicate that the Bd. is willing to accept the fee of \$18 this year and \$20 next year.

Item 32 - corres. from Dave Ramsay re: McFarlin School - a work session has been scheduled for Dec. 8 to discuss future use of the McFarlin School - it was requested that Mr. Ramsay be prepared to discuss finances, moving costs, etc. for the McFarlin School at this Work Session.

Item 37 - corres. from Lenore James, MCAB re: County Engineering Dept. - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the MCAB that the BOS are not supportive of the abolition of the County Eng. Dept; however, we have no objection to a study of same. From the report, it appears that Chelmsford is getting \$21,000 worth of engineering services for \$14,000 assessment.

Item 40 - corres. from J. Paul Bienvenu re: estimates for sidewalk priority list submitted by Charles Watt - the Bd. agreed that funds for sidewalks will be much lower than the estimate of \$324,100 - this will be further discussed when articles are reviewed for the 1978 ATM.

Item 43 - corres. from James Harrington re: Alpa Wrecking Company, Inc. - Mr. Murphy stated that the Bd. has an obligation to determine whether or not they are willing to accept the proposed settlement; any reports dealing with something dealing with a negotiation problem should come first to this Board, and Counsel should not discuss it with anyone as to what, in fact, will happen, because Counsel can't determine what will happen. Mr. Murphy moved that the Board schedule an inspection of the property involved with Town Counsel in the near future to determine if the Bd. feels that this is a feasible solution - there was no second for this motion. Mr. Murphy then moved that the Bd. inform Counsel that ultimate decision rests with the BOS - we would appreciate no public releases of the Board's position until same has been concurred with by the Board - Mr. Shanahan stated that he will second same for discussion. Mr. Lovering feels that when this matter was initially discussed, the Bd. sent Town Counsel away to come back to the Bd. with his solution to the problem. Mr. Lovering feels that Town

Counsel understands the limits of his authority very well. Mr. Murphy stated that the Bd. has no formal policy re: Town Counsel releasing reports to the press before clearing same with the BOS. Vote on Mr. Murphy's motion to inform Town Counsel not to make any press releases to the media until he has confirmation from the BOS was as follows: two in favor, Mr. Murphy and Mr. Lovering; two opposed, Mr. Shanahan and Mr. Currier - motion failed due to a tie vote. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was voted three in favor, one present - Mr. Lovering, to schedule a work session for Dec. 8 with Town Counsel to discuss policy re: press releases, etc.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

New Business

The Bd. agreed to request the Hghy. Dept. to repaint the lines on Concord Road.

The Bd. agreed to wait one week, then request once again, requested info. from members of the IAC to be forwarded to Town Counsel re: Conflict of Interest. If the requested info. is not received within one week by Town Counsel, members of the IAC will be requested to attend the next Sel. Mtg. to discuss same.

The Bd. agreed to request the State to look into the replacement of lighting and relocation of lights in the Drum Hill Rotary area with impact equipment - we will corres. with the DPW and ask if they can guarantee uninterrupted service in this area, as the community has been deprived of the warning signals for long periods of time after demolition.

The AA will inform the Board if the Water Dept. has been paying their rent increase voted some weeks ago by the BOS.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to invite our reps. in to a Sel. Mtg. in January to discuss upcoming Legislation.

The Bd. agreed to inform the Police Dept. to inform the officers to commence enforcement of the 'all night parking' bylaw - many complaints have been received by residents re: cars parked all night in the street, hampering plowing and causing traffic hazards.

A complaint (telephone) was rec'd. from Mr. Cooper re: proposed location of the MCTS for Methadone Clinic, as suggested in a Lowell Sun article last week - the Bd. agreed to request our SHARE reps. to inform us if they have heard anything regarding this matter and inform the BOS immediately, if they have heard discussions or suggestions on same.

The Bd. agreed to forward a letter of congrats. to the Chelmsford Lions Football Team on their becoming co-champions in the Merrimack Valley.

Mr. Murphy noted that the Billerica Board of Selectmen (or their reps) did not attend the Sel. Mtg. this evening to shine the Board's shoes, in accordance with the Thanksgiving Day Wager in which the winning Town's Selectmen would have their shoes shinned by the Selectmen of the losing Town. Mr. Currier informed the Bd. that a telephone call was received from the Billerica Selectmen's Office this evening informing us that Billerica has scheduled Selectmen's Meetings on this evening and on Dec. 19 - the shine would have to be scheduled for after January. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to inform the Billerica BOS that in view of the victory of the Chelmsford Lions, we release the Billerica BOS of any responsibility they had to shine the shoes of the Chelms. Board of Selectmen.

In answer to a question by Mr. Shanahan, Mr. Currier stated that the orange stickers on the office equipment & chairs & desks, etc. are for the purpose of inventory.

Mr. Shanahan stated that he has had conversations with Mark Hall, from County Commissioner Michael McLaughlin's office re: past corres. re: prior commitments concerning future use of the MCTS for the Town of Chelmsford - the AA will review the file and obtain this corres. for Mr. Shanahan's review.

Mr. Shanahan recommended that the Bd. take a public position re: art. 5 of the STM Warrant re: addition to NVTSH - the press should indicate that a quorum is necessary to hold any discussion what-so-ever regarding this addition. Mr. Shanahan explained to the Board why he is not in favor of this addition. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to go on record that the Chelmsford Board of Selectmen are opposed to the addition to the NVTSH as indicated in STM Article 5. As Mr. Shanahan will speak on this article on Dec. 13, he requested that Bd. members provide their input to him asap.

Mr. Lovering informed the Bd. that he received a telephone call from Mrs. Robert Raab from the Old Stage area re: vandalism & thefts in this vicinity. She and her neighbors are very concerned and would like to have the advise of our Police Dept. in terms of what the residents, themselves, can do to curb vandalism, etc. Mrs. Raab is prepared to organize a mtg. with her neighbors & someone from the Police Dept. to discuss this matter - the Bd. agreed to have the AA make contact with the Police Dept. to send an appropriate representative from the PD to the neighborhood to advise the neighbors as to what they might do to alleviate the problems currently plaguing the area.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to forward corres. to all Depts. and our appointees advising them that they are not to undertake the practice of going to the FinComm, Pers. Board, or any other Comm. or Bd. without first coming before the BOS, to discuss matters or request permission with regard to matters which the Board of Selectmen should be addressed. A copy of this memo will be forwarded to the Pers. Bd. and FinComm.

Mr. Lovering stated that Officer Norman Wellington has applied for and received 72% retirement from the Middlesex County Ret. Board - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to forward a letter to the Ret. Bd. asking whether or not the Town has any appeal rights with regard to Officer Wellington's retirement - this will be priority corres. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to forward corres. to Rep. Freeman informing him of the lack of cooperation on the part of Mr. McGuire of the Ret. Bd. and requesting that this does not happen in the future - Mr. McGuire, when the AA addressed this matter to him, informed her that he could not discuss the matter on the telephone. The Board further agreed to forward a similar letter to Civil Service, as Mr. Currier and the AA have had a very difficult time reaching Barbara Jarvis by telephone - this corres. will also be forwarded to our State Sen.

Mr. Lovering informed the Bd. of the continued trouble with telephone service in the Town - the AA has been in contact with Peter Berry; however, to date, services have not improved. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to forward corres. to the President of New England Tel. Co. requesting that he inform the Board the name of someone who has the authority to commit with regard to development plans to improve our services.

Mr. Currier stated that two problems were brought before the Board this evening during the 7PM open session - the Board agreed to forward problem re: 7 Murray Hill Drive (Drainage problem) and 17 Noble Drive (Drainage problem) to the Hghy. Supt. and Engineering consultant for the HD to review same and forward the Bd. with written recommendations on alleviation of same.

The Board agreed to request the Bldg. Insp. to take necessary action re: vacant bldg. at 85 Gorham Street, as it presents a health hazard - the bldg. should be secured.

New Business
continued

The Bd. agreed to request the BI to forward a status report on requests we had previously forwarded to him re: abandoned bldgs.

Mr. Currier informed the Board that youths are parking in the vicinity of the Spring Street area near Crystal Lake - it was suggested that the HD put up some type of boulder barrier to stop the cars from entering this area.

Mr. Currier informed the Bd. that a letter was rec'd. in the office on this date re: Civil Service provisional appointment - Mr. Currier reminded the Bd. that the Board has challenged the residency of the first name on the list - Gary W. McCarthy. The Board agreed to forward a priority letter to Civil Service informing them of this.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting was adjourned at 11:05 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors
Drawn

Jurors drawn by Sel. William Murphy on Dec. 19 were as follows: Criminal Court: Frances Mullen, 350 Boston Road; Daniel Callahan, 18 Arbor Road; for Cambridge: Elizabeth Key, 15 Berkeley Drive; Darrel Sanders, 87 North Road; Donald Fidler, 34 North Road; Leo Boucher, 30 Ruthellen Road; for Lowell: Frances Smaldone, 10 Larssen Circle; Linda Miller, 26 Parlee Road.

Members
Present

Regular Meeting of the Chelmsford Board of Selectmen held December 19, 1977. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Sel. Mtg. held Dec. 5, as corrected.

Unfinished
Business

After review of the Town bylaw, the Board agreed to re-appoint Harold Davis and Charles Watt, Jr., as alternates for the Historic District Commission - Mr. Murphy moved these appointments - vote was four in favor, one present-Mr. Lovering.

The Board discussed Budget Policy for the upcoming FY - Mr. Lovering stated that in a case, he can envision new personnel - he suggested that item 1 be amended as follows: No new personnel will be encouraged. Another item will be added as follows: 10% estimated fuel increase. Re: item 5, it was agreed to change same as follows: We do not anticipate any CETA positions being converted into Town positions this fis. year. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the budget policy, as amended above - we will forward the 10% increase in fuel info. to the FinComm for their review.

Adm. Asst.
Reports

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve mileage for Robert Maitland, CETA SPA, not to exceed \$20 per month. Mr. Shanahan requested that he receive info. on how much mileage CETA employees have rec'd. since Jan. 1, 1977.

Mrs. Haines informed the Board that some info. she requested from Civil Service to be incorporated in the announcement was omitted - the Bd. agreed to forward a letter to CS informing them of this re: Deputy Chief; also, last week there was some question on the announcement re: Sgt-Mr. Lovering withdrew his comment.

Mr. Murphy requested that the AA document info. on mtg. with AA, BI and the Mahons for the Board's review. As of this date, Mrs. Haines has not received word from Mrs. Mahon regarding this matter or action regarding same.

The AA informed the Board that the Planning Board will schedule a mtg. re: enforcement of the zoning bylaws with BOS and BI.

Unfinished
Business
continued

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to endorse the re-establishment of a Drug Abuse Committee made up of the Health Coord. in the School System; Dr. Rivard; Chairman of the BOS; Chief of Police; Adm. Asst; School Comm. Chairman and Drug Officer of the CPD - the Comm. will be charged with meeting when any member of the Comm. becomes aware of a problem which should be dealt with in a timely fashion. Mr. Currier stated that the Comm. could address problems associated with alcohol and tobacco. Mr. Currier will provide each Board member with the written charge of the Comm., and how the comm. will operate. Mr. Currier will meet with the CH of the SC to draw up objectives.

On a motion by Mr. Hart, seconded by Mr. Murphy, it was voted four in favor, 1 present-Mr. Shanahan in accordance with his April 26 point of privilege, to allow all establishments serving liquor in Chelmsford (All Alcoholic Common Victuallers Licensees) to stay open until 2:00AM on Dec. 31, New Year's Eve. Mr. Lovering stated that in the future, establishments which have violated the laws of the ABCC or Town bylaws should be penalized when the requests of this nature be brought before the Board.

The Bd. discussed lease for Sheehan Property. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize Town Counsel to prepare a 2-year lease, at \$25 per acre rental fee, for Mr. Parlee and Mr. Koulas for use of approx. five acres each of Town land.

A mtg. was held with Robert Harvey of Chelmsford Excavating to discuss drainage projects. Mr. Harvey stated that the ConsComm held up his work, as did vandalism to his equipment. Mr. Harvey stated that he feels that his firm can finish the job per specs and prices in his bid. He had five full-time employees in his employ. Mr. Lovering informed him that Mr. Bienvenu had indicated that he felt that the job was progressing too slowly-Mr. Harvey stated that he was not aware that Mr. Bienvenu felt that way. Mr. Murphy suggested that in the future, if problems regarding a job occur, the Board should be made aware of same and possible delays. Mr. Harvey informed the Bd. that the sidewalks cannot be constructed when the temperature is below 30°, which it has been quite frequently.

Meeting with
Chelmsford
Excavating Co.
re: drainage
contracts

The Board discussed the Papa Gino's appeal and opinion on same in letter from the ABCC and minority report from one member of the ABCC. On a motion by Mr. Lovering, seconded by Mr. Hart, it was voted four in favor, one present--Mr. Shanahan, in accordance with his point of privilege of April 26, 1977, to deny Papa Gino's application based upon the fact that we do not believe that license would be in the best interest of the Town, in the center of the Community - the Board feels that the Papa Gino's license application is a totally different type of organization than Stuart Street Chowder Society-the type of clientele that the menu would attract in the Papa Gino's matter is not the same as the Chowder Society, whose main business was to have taken place around noon-time, and the Papa Gino's proposal is around the clock.

Unfinished
Business
continued

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to support a report on VIB Projects under the CETA Program, with the exception of two additional employees for the Recycling Program. The Bd. does not feel that these additional employees will be necessary.

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to have the CETA Coord. solicit applications for the position of Purchasing Agent under the CETA Program - interviews will be conducted for same at a later date.

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted 4 in favor, 1 opposed-Mr. Hart, to have the CETA Coord. solicit applications for the position of Town Planner under the CETA Program - interviews will be conducted for same at a later date.

The Board agreed to hold on the NMAC Groundwater Pollution Studies until 1/3/78.

The Board discussed corres. from John Balco re: NMAC's report on Local Growth. Mr. Lovering has concerns with recommendations numbered 1, 16, 18, 19, 26, 27, 32, and 36. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to go on record with NMAC indicating that we are concerned, at this point, with those particular recommendations, and we will send them a formal response within the next two weeks. Mr. Lovering stated that we will also have to consider whether or not we want to reactivate the LRPC. Mr. Lovering will incorporate a response for the Board's review within the next two weeks - Mr. Lovering does not recommend that we reactivate our LGPC.

The Board renewed the following licenses as follows: On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to renew the following licenses for 1978: Common Victuallers' Weekday Entertainment; Theatre; Class I & II Auto Dealers' Automatic Amusement and Mr. Currier voted present on the Auctioneer's License of George Dupee and voted in favor of all the remainder of the Auc.Licenses. Mr. Shanahan voted present on all licenses dealing with liquor, in accordance with his April 26 point of privilege, however, none of these licenses involve sale of liquor. Mr. Lovering suggested that in the future, the Board investigate more carefully granting of Class II Auto Dealer's Licenses to businesses whose major business is not the sale of cars, but of the sale of gasoline-Mr. Lovering will be prepared to offer a motion regarding this matter for the Board's approval in the future.

Dept.Head
Reports

On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to appoint a CETA Clerk to the Police Dept. - to work with Walter Kelly - the Board appointed Kathleen Robinson, in accordance with the Chief's recommendation.

Corres.Sum.

Item 12 - corres. from Thomas Lafionatis of NVTHS re: use of the Quessy School - Mr. Shanahan suggested that the Board inform Mr. Lafionatis that if the technical school is still willing to assist in the maintenance of the bldg., that offer might be extended to any of our other schools that might need that type of maintenance and also to the Chelmsford Players re: Quessy School, in addition to the AA's recommendations. Mr. Hart suggested that the Board go on record with Mr. Lafionatis as to the possibilities of assistance, if we should need it in the event that we move to the McFarlin School as Town Hall-some of that work could be done by the students at a cost savings to the Town. Mr. Murphy stated that we should check with the FinComm to see if funds could be transferred (a small amount) to make the building safe.

Item 15 - corres. from Henry Kirschner, Senior VP of Fields re: parking in fire lanes - the Board agreed to place this item on the agenda for the next Sel. Mtg. Jan. 3 - we are awaiting a report on ticketing from Town Counsel for violators of these signs.

Item 16 - corres. from Barbara Dempsey, Mgr.NET&T - the Board agreed to invite Ms. Dempsey to a Sel. Mtg. in the near future to discuss service to the Town.

Item 20 - corres. from Central Mass. Mosquito Control Project re: Town of Chelmsford's rejoining the CMMCP. On a motion by Mr. Lovering, seconded by Mr. Hart, it was voted four in favor, one opposed-Mr. Currier, to invite Mr. Henry to a Sel. Mtg. in the near future to discuss this matter - we will request that he forward the Board with written corres. for their review prior to this meeting.

Item 21 - corres. from Atty. Robert White re: severe drainage problem on property of Donald Dean, Southgate Road - the Board agreed to instruct Paul Bienvenu to meet with Mr. Dean and Mr. White to discuss the problems in this area - this will be turned over to Town Counsel.

Item 22 - corres. from Pandelena & Son re: contract on Fletcher Street - the Bd. agreed to have the AA contact the Telephone Co. by phone advising them that we would request that the pole in question be removed-the AA is awaiting their return call. If action is not taken by them asap, they will be invited to the next Sel. Mtg.

to explain the delay. Mr. Spanahan suggested that Pandelena & Son should not be released from any responsibility for completion of the contract, as they requested in this corres. We will request recommendations from Paul Bienvenu on same. Corres. Sum. continued

Item 25 - corres. from James Cooper re: zoning violation at 7 Tremont Road - dog problem - the Board agreed to request the Dog Officer & BI work in conjunction to solve this problem and report back to the Board on same.

Item 27 - corres. from Chief Germann re: Varney Playground/Edwards' Beach area - last week the Bd. informed Chief Germann that they did not support his recommendation re: tying up of a cruiser. Mr. Murphy's intention was that one officer would stay in the cruiser with the radio and the other officer would circle the field house in a very brief time and come back to the cruiser - should an emergency arise someone could give a brief sound of the siren. Mr. Lovering stated that he does not wish to go on record as accepting the report, however, he will accept it.

Item 33 - corres. from Dr. Rivard re: McFarlin School - Mr. Murphy stated that the BOS would like to be owners of that bldg., including the All Purpose Room and gymnasium - we would not want to be restricted to any School Dept. contract re: janitorial services. The Bd. agreed to instruct Chairman Currier to contact Dr. Rivard or the Chairman of the School Committee to determine if the bldg. is the property of the Town or the School Dept.; and if it is still the property of the School Dept., when will it be turned over to the Town - Dr. Rivard is supposed to discuss this matter at the next School Comm. mtg., scheduled for Dec. 20.

Item 34 - corres. from NMAC re: Local Growth - the Board had previously discussed this matter under Unfinished Business.

Item 35 - corres. from NMAC re: preliminary draft of Fair Housing & Equal Employment Opportunity Guidelines, prepared by the Mass. Comm. Against Discrimination. MCAD has set a deadline for comments as of Dec. 23, 1977, which would appear to be impossible to meet. Mr. Lovering stated that this is another case where a State agency is trying to set up guidelines which the Cities & Towns will be hard-pressed to meet. We may have to hire someone to work on this with us; however, perhaps we can work with NMAC and authorize them to act on this issue of discrimination as our clearing house for the Greater-Lowell area and we could authorize NMAC to complete all the necessary forms for us. Mr. Lovering suggested that we go on record with MCAD that their deadline is unreasonable; and further we should ask NMAC to pursue this matter further and submit a proposal. Mr. Murphy stated that this issue came before the LGAC this month - the LGAC has asked that a comm. of 3 persons meet with the commissioners plus the Civil Service Comm. because the policies conflict with one another. Mr. Murphy left a copy of the LGAC corres. in the signature folder for the Board's review, and he suggested that this be made available to NMAC. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to forward corres. of the LGAC to NMAC and ask them to consider that document, particularly the last paragraph, as Chelmsford's position on this matter.

Item 36 - corres. from John G. Harrington, Chairman, Safety Committee re: RCA radio system currently in use by the Chelmsford Police Department. The Board agreed to instruct the Police Chief to meet with the Safety Comm. and a rep. of RCA and file a report with the BOS, jointly, and if we cannot get a report from the three parties together, we will ask each of them to submit a separate report within two weeks' time.

Item 38 - corres. from Jacob Sartz, et al re: abandoned house at 89 Gorham Street - last week the Board had forwarded a similar complaint to the BI at 85 Gorham St., supposedly, they would appear to be one and the same house. The Bd. agreed to forward this to the BI for a reply by Thursday, Dec. 22, as we had, two weeks ago, requested an immediate response and same was not received to date.

Item 41 - corres. from Chelmsford Business Assoc. re: agreement with Board's decision to remove parking spaces in Central Square. However, they believe that to dis-allow a left turn on Billerica Rd. is a mistake, and they disagree with the proposal for traffic lights-they favor assignment of a qualified traffic officer at intersection of Chelmsford Street and Billerica Road. Mr. Currier is in favor of hiring an MDC traffic officer to be situated at the intersection of Billerica Road & Chelmsford Street for a one-month period, and he could teach a Chelmsford Police Officer how to handle traffic at that intersection. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted four in favor, one opposed-Mr. Currier, to thank the CBA for their input but inform them that we will still go to Town Mtg. requesting a set of lights.

Item 46 - corres. from the Lowell City Council requesting that the Chelmsford Board of Selectmen join with the City of Lowell in opposition to the use of public monies to fund abortions. After discussion on this request, the Board, on a motion by Mr. Lovering, seconded by Mr. Hart, unan. voted to go on record in opposition to the use of public monies to fund specific abortions and our position on that matter will be communicated to Governor Michael Dukakis, Congressman Paul Tsongas, and to the Lowell Delegation to the General Court, with a request for a response from all indicating their complete position on the issue prior to December 27, 1977. The Board endorsed the concept of the Lowell motion.

Mr. Shanahan was recorded as voting present on item 13-letter from ABCC re:Vrouhas.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. Murphy received documentation from the Trusco company, manufacturers of the True-Line Striper which the Board has possession of at this time - the striper is worth \$553.30 - the Board agreed to authorize Mr. Murphy to show the machine to someone in that type of business to determine what use can be made of it-it may be useable in the Community by the RecComm. Mr. Murphy left the corres. with the AA for her info.

Mr. Currier informed Mr. Murphy that he will contact Sen. Carol Amick re: mtg. with all towns & cities she represents, sometime after Jan. 1, 1978, as previously agreed.

The Board agreed to have the Chairman of the Board determine whether or not parties concerned would be willing to donate necessary parcels of land for the Central Square project; also, copies of the plan should be made available to the land owners in question for their review.

The Board agreed to request the Pol.Dept. to investigate skating and snowmobiling on Crystal Lake and forward the Bd. a report on same.

The Board agreed to request the Board of Health to inform them, in writing, whether or not the septic system in the Fiske House is adequate to accommodate a restaurant-public hearing for All Alcoholic Common Vict. License at that location is scheduled for Jan. 3.

Mr. Lovering has been advised by residents in the Westlands of a problem with increased traffic (due to the Mall) using Subway Avenue as a short-cut from Chelmsford Street into the Dalton Road area. The Board agreed to request the Police Dept. to review this problem and advise the Board if it makes any sense to close off the end of Subway Ave. at the intersection in the nature of a dead end-and have the intersection be just a 4-way intersection, thereby eliminating this short cut & excess traffic. This could be done in the same manner in which the Bartlett St. problem was solved.

The Board agreed to request the Supt. of Sts. to investigate a drainage problem at the int. of Bartlett St. & Acton Rd. to determine if there might be some clogged catch basins there causing a drainage problem - we will ask him for recommendations to alleviate same.

Mr. Currier addressed the problem of snow-plowing during this past storm. Mr. Currier read an editorial in the local newspaper which referenced a work slowdown by HD employees. Mr. Rondeau cannot pinpoint any actual slowdown. Mr. Currier stated that two conditions existed during the storm-the Highway Supt's. wife passed away; and the snowstorm was quite unusual as it was an ice storm, caused by freezing rain, which made conditions quite severe. Mr. Lovering stated that he does not feel that the absence of Mr. Rondeau, due to his own personal problems, has anything to do with the issue as to whether or not there was or was not a slowdown. At the conclusion of the last Selectmen's Meeting at approx. 12:30 AM Mr. Lovering telephoned Mr. Fantozzi at the Garage and asked him if he was having any problems- Mr. Fantozzi advised him that things were progressing all right, and if he had any difficulties or problems, he would call Mr. Lovering during that evening. The following morning at approx. 9AM Mr. Fantozzi telephoned the Selectmen's Office and advised the secretary to inform Mr. Lovering that in his opinion, a definite slowdown had happened, and in fact, plows took much longer to be put on the vehicles than they normally would, and many of the routes were taking longer to be plowed than usual. Mr. Shanahan stated that he was very dis-satisfied with the clearing of roads in Town during the past storm, as was Mr. Lovering. Mr. Shanahan stated that he received several complaints re: clearing out of church parking lots, etc., before some major streets in Town were plowed. Mr. Lovering stated that the Board should have taken some action on the slowdown immediately after it happened. Mr. Hart stated that foul weather is forecasted for the upcoming week, and he suggested that we wait and see how the next storm is handled by the HD.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:00 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen held January 3, 1978, at the South Row School. Members present were: Mr. Currier; Mr. Murphy; Mr. Lovering and Mr. Hart. Mr. Currier said that Mr. Shanahan was out of town on business and would come to the meeting when he returned; Mr. Shanahan arrived at 9:45 p.m. Mrs. Haines, Adm. Asst. was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 P.M.

Members
present

On a motion by Mr. Murphy, seconded by Mr. Lovering, it was uana. voted to adopt the minutes of the meeting of December 19 as written.

Minutes
Adopted

Mr. Murphy asked the AA if there has been any response from the Building Inspector on the status of abandoned buildings, and she said that none had been received. Mr. Murphy said he understood that underground tanks had been brought onto the Hallberg property on Proctor Road, and the AA said she does not know if they have been removed. Mr. Murphy asked how many articles for the warrant had been received today, and Mrs. Haines said she will compile a list, and that she had received four requests to submit articles late, and Mr. Currier said he had also received such a request from the Home Rule Advisory Committee.

Adm. Asst.
Reports

Under unfinished business the Board discussed the NMAC Ground water Pollution Study. Mr. Lovering said he is concerned that the Town has the largest number of problems with septage, groundwater cleanup and salt, and that we can't seem to find a way to give more input to NMAC studies which have a great impact on Chelmsford's problems. He noted that NMAC has formed a Wastewater Advisory Committee, a small group to advise the NMAC staff.

Unfinished
Business

Mr. Murphy indicated he believed that the Sewer Commission was represented on the NMAC advisory group on Wastewater problems, and he believed that the Town Engineer was going to research the salt problem. He said he would have no objections to asking the Town Engineer and a member of the Sewer Commission to work with this Wastewater Advisory Committee and report back to the Board.

Mr. Lovering said he is not sure the Board wants to pay the Town Engineer to go to every NMAC meeting on this, and that he thinks the Board needs a better way to manage this themselves. He said that in general he feels the Board should be supportive of their studies, and maybe ask them to come in sometime to tell the Board how to better participate.

Mr. Lovering moved to send back the Requests for Review stating that the Board concurs with the proposals, seconded by Mr. Murphy, unanimous. Mr. Murphy said that he doesn't feel the Board needs to help them do their studies, but to help them find solutions. He said he would be willing to seek out a person to go to NMAC meetings on this subject and make a recommendation to the Board.

On the NMAC Growth Policy matter, Mr. Lovering said he will get a response next week and make a recommendation to the Board.

The Chairman requested that a discussion of Fire Lanes be held until Mr. Shanahan arrives.

Corres.
Summary

Under the Correspondence Summary, the Board will discuss items 27 and 35.

On items 18, resignation from Insurance Advisory Committee of Henrick Johnson, Jr. and 28, resignation of Roger Welch, Mr. Hart moved that the resignations be accepted and letters of appreciation and thanks be sent, seconded by Mr. Murphy, unanimous.

Item 27: letter from Division of Personnel Administration: Mr. Currier said he feels the oral exam could be conducted by either the Board or Civil Service, and that the oral exam should be mentioned in the ad. Mr. Murphy moved to communicate this to Civil Service, seconded by Mr. Lovering, unanimous.

Item 35: opinion from Town Counsel re: Fire Lanes: the Board will wait for Mr. Shanahan to discuss this.

Mr. Murphy moved that the Board adopt the balance of the Administrative Assistant's recommendations on the Correspondence Summary, as amended, and include same in the minutes of the meeting by reference, seconded by Mr. Lovering, unanimous.

Mr. David Hardy was present and said he was told to come in to the meeting re a complaint on the plowing of Princess Avenue. Mr. Lovering told him that the Board is waiting for replies from the Highway Department and Town Counsel on this matter, and Mr. Currier apologized for the inconvenience to Mr. Hardy.

New
Business

Under New Business, Mr. Murphy said that the Governor has sent the Middlesex County Budget back to the Legislature with a veto, that they could either sustain or overturn this veto, that he had called Rep. Bruce Freeman asking him to support this veto, and that Mr. Freeman had said he would do so. Mr. Murphy moved that the Board officially go on record in a letter to Rep. Freeman asking him to support the Governor's position on the Middlesex County Budget, seconded by Mr. Lovering, unanimous.

Mr. Murphy discussed the Highway Program TOPICS, noting that work was done by Tippetts-Abbett-McCarthy-Stratton on the Drum Hill rotary, Hunt Road, fire pre-emption lights, dangerous intersections in town, but that the program seems to have died. The Board agreed to communicate with the state Department of Public Works.

Mr. Murphy gave members copies of a Guide for Evaluating Municipal Insurance Programs prepared by the Mass. League of Cities and Towns, which he feels may be valuable to the Town.

He also passed out copies of An Act Authorizing Cities and Towns to Provide by Ordinance or By-Law for Noncriminal Disposition of Certain Violations, which has been passed by the Legislature. He moved to send a copy of this to Town Counsel and ask him if any existing by-laws could be modified to allow this non-criminal disposition, seconded by Mr. Lovering, unanimous.

Mr. Murphy moved to contact the Building Inspector asking him to investigate an alleged zoning problem on the southerly side of Hunt Road and Route 110, since he is certain there is an auto body shop there, seconded by Mr. Lovering, unanimous.

Mr. Lovering brought up the subject of the Independent Delivery Service. Mr. Anderson had assured him a year ago that delivery would be stopped at his home if he did not want it, and for the past 3 weeks the material has been delivered again at Mr. Lovering's home. He read a letter that he has drafted to the Independent Delivery Service. He feels that the best mechanism to stop delivery of this material is to send a letter to the publisher, who can be fined \$50.00 per violation.

Mr. Murphy moved that the Board write to IDS about the fact that these papers are being thrown on lawns and streets, seconded by Mr. Lovering, unanimous.

At 8:00 p.m. Mr. Currier announced the public hearing on the application of Fiske House Inc. for an All Alcoholic Common Victualer's License. He explained the procedure to be followed for the hearing.

Attorney James Geary represented the applicant, Rosario (Roy) Turco, and said that 18 of the 19 return receipts had been received. He introduced Mr. Turco, Atty. Paul Kilian, the proposed manager Mr. Owen, and the owner Edward Redstone. Mr. Geary showed a proposed menu and pictures of the proposed dining rooms. He said that he has heard there is concern from the Unitarian Church as to where the money is coming from to finance this business and said that Mr. Redstone will lease the property to Suburban Holdings, in which Mr. Turco is the sole stockholder, who will in turn lease to Fiske House, Inc., in which Mr. Turco is also the sole stockholder. He said that there can be no transfer of stock in a corporation that holds a liquor license unless they go to the Board.

Mr. Geary continued that Mr. Turco is going to sell his gas station in Billerica and that Mr. Redstone feels this is the most feasible proposal he has seen for the use of the Fiske House, that there would be a quality restaurant with almost no exterior changes, that any changes and signs would have to be approved by the Historic District Commission, that interior changes would have to be approved by the Building Inspector, and that Mr. Turco has been to the Board of Health and would agree to expand the present septic system to their specifications. Mr. Geary said that there will be 6 dining rooms each seating 16 people, 2 rooms on the first floor, 4 on the second, with storage space on the top floor, and a waiting area and bar in the present cellar. The restaurant could be operational by early spring if the liquor license is granted.

Mr. Owen said that he worked for the Blue Strawberry Restaurant, Portsmouth; N.H. a few years ago and since then has been with a restaurant in Tennessee owned by them. He stated that the food would be freshly prepared, they will hire approximately 25 people, and he feels they would keep the historic atmosphere and provide the finest quality restaurant in the area.

The Chairman asked if anyone present wished to speak in favor of the application, and Bud Wilkins of the Chelmsford Business Association said that his group is in favor, as long as the proposal meets all the requirements of town Boards, etc. He left a list of members of his organization who are in favor of the proposal.

Mr. Murphy said he had some questions: why 2 corporations? and Atty. Kilian said that Suburban Holdings is a leasing corporation for tax purposes on the advice of a CPA he had consulted. Mr. Murphy asked Mr. Owen more about his background and how long his contract would be for, and Atty. Kilian said his contract would run with the lease probably, and would be for as long as possible. Mr. Geary said that the restaurant would be open for both lunch and dinner, from 11:00 a.m. to 11:00 p.m.

Mr. Murphy asked if they had done a traffic count, and considered parking and the possibility of more congestion in Central Square, and Mr. Geary said that this had been looked into and that there is sufficient parking in the bank parking lot.

Public
hearing -
Fiske House
Liquor
License

Mr. Lovering questioned the lease, and Mr. Kilian said that it will be a five year lease, with 2 twenty year option periods. Mr. Lovering asked if either party can walk away from the lease, saying that he is concerned that Mr. Turco has a non-restaurant background, and he asked if the manager is to be paid a salary, or proceeds. Mr. Kilian said that initially he will be paid a salary, with a bonus depending upon the success of the business. Mr. Lovering asked if Mr. Turco has any other financial interests than the gas station, and Mr. Kilian said No. Mr. Lovering said he had heard that Mr. Turco's son has interests in massage parlors in Mass. and southern New Hampshire, and does Mr. Turco have any interest in these operations. The answer was "None whatsoever". Mr. Lovering said that the menu presented did not appear to resemble that of the Blue Strawberry, that it did not appear to be a really gourmet type of menu. Mr. Owen said he feels that American food is more in keeping with the Fiske House, and that this is a tentative menu. Mr. Hart asked Mr. Geary to explain the interior plan with more detail, which he did, and added that the entrance of the building will face the bank parking lot, rather than Billerica Road. Mr. Owen said that food will be carried up the servants' staircase to the second floor, and that they don't intend to use all the fireplaces in the building because they are so old. Mr. Hart asked how they plan to keep people from parking in the All Saints Church parking lot, and Mr. Owen said because of the entrance being nearer the bank parking lot, and added that they could agree to erect a sign and enforce no parking in the church lot. Arthur Kelts, 22 Stonehill Road, said he supported the Chelmsford Business Association's position, and A. L. Poirier, 26 Brian Road, also spoke in favor.

Mr. Currier read a letter received from the Unitarian Church, signed by the minister and 8 members, questioning the character of the applicant and the source of his money. He also read a letter from All Saints Church, saying that their vestry was in favor of the plan as presented to them by Mr. Owen, but now is concerned about the Turco family massage parlors. This letter was also signed by ministers of the Central Baptist and Unitarian churches.

Mr. Edward Redstone also spoke in favor of granting the license, saying that the bank has heard no evidence that it would be detrimental to the community, and that they are trying to revitalize the Central Square area.

Mr. Currier asked if anyone present wished to speak in opposition, and no one did.

Mr. Lovering asked if Fiske House Inc. is an existing Massachusetts corporation and Mr. Owen said that it is, and that Suburban Holdings is just a company, not a corporation.

Rev. Roland Morin of the Unitarian Church asked questions about the corporation and where the money is coming from, saying he is afraid it may be coming from outside forces. Mr. Geary said that if he had any knowledge that this was the case he would report it to the Board, that his reputation is too important for him to be involved with that kind of money that is rumored.

Mr. Lovering said he would request that the Board take this matter under advisement, and not vote tonight.

Mr. Murphy moved that the Board take a 5-minute recess, seconded by Mr. Hart, unan.

When Mr. Currier called the meeting back to order, Attorney Arthur Reed, 115 High Street, asked Mr. Geary more about the financing of the business, and said that the Unitarian Church will not file any official objection to the granting of the license. Mr. Geary said that the most capital needed would be \$150,000, that Mr. Turco will contribute app. \$90,000 to \$100,000, that the bulk of the money will be financed by the suppliers of equipment and furnishings, and that if additional financing is needed Mr. Turco will go to a lending institution.

Mrs. Ann Lloyd, manager of Lloyd's Coffee Shop, d/b/a Jack's Diner, asked that if the Board grants this license that they impose written stipulations re signs and hours, since this was a condition of the Wine and Malt License granted to her. Mr. Currier said that signs must be approved by the Historic District Commission, and that the hours will be stated on the license.

Mr. Lovering moved to take the application under advisement, seconded by Mr. Murphy, unanimous. Mr. Currier added that the Board must vote within 30 days of the date the application was filed, which was December 13, 1977.

The Board then met with Barbara Dempsey and other representatives of the New England Telephone Company. The Board had asked her to come in and discuss their concern with the quality of phone service in the town, especially long distance calls.

Ms. Dempsey read a prepared statement, saying that the Chelmsford area is serviced by an electro-mechanical system in the Central Office on North Road, that they feel it is adequate for the town today but that an electronic switching system will be installed by July 7, 1979. She said that the company has been checking out complaints about poor service, has found and corrected several problems, and asked that any complaints be reported to the company's Repair Service. Board members told her about various problems they have encountered and indicated that they are not at all satisfied with the service in the town. John Cooney of the Engineering Department told the Board that they will remove the pole at the corner of Fletcher and Chelmsford Streets, that the railroad also has a cable on this pole, but that they hope to have it removed by the end of the month. Ms. Dempsey said she wants to hear from the Board in 3 months if there are still problems with the service.

Mr. Shanahan arrived at the meeting at 9:45 p.m.

The Board met with Malcom Henry, Selectmen from the Town of Harvard and member of the Board of the Central Mass. Mosquito Control Project. Mr. Henry said he feels there was a definite communication problem between the Commission, town Boards of Health and Boards of Selectmen as to what the project is trying to do. He gave a 12-minute slide presentation on the work of the project.

Mr. Henry said that for a town to get back into the project it would have to go through Town Meeting. The Board said that the Environmental Advisory Committee advised the town to leave the project because of all the chemicals that were being used, and asked if the town could go back into the project and state that they want their share of the money to go for source reduction. Mr. Henry said that this is possible, and that the project director would talk with town officials if the town decided to go back in. He said that the cost of being in the project has not changed, but did not know what the cost would be to Chelmsford.

Under New Business, Mr. Lovering said that he had gone to the Town Hall on Monday at 4:00 p.m. and found no heat. He called the building inspector and they bled the pipes to get the heating system going again. He said that he wants Mr. McHugh to know that they appreciate his efforts, and that he feels the system won't do the job on a long-term basis. Mr. Lovering said the town needs a program to check the boiler on weekends, that either the new janitor or the Police Department should be asked to do this.

Mr. Shanahan brought up the issue of salaries for Mass. State Police troopers, saying that he has looked into the salary increases for other state officials - representatives, judges, etc, and he feels that it is wrong that troopers are are not being paid more.

Mr. Shanahan moved that the Board write to the Governor, state senators and representatives stating the Board's concern that the troopers' salaries haven't been increased, seconded by Mr. Hart, unanimous.

Meeting
with Ms.
Dempsey
N. E.
Telephone

Meeting with
Cent. Mass.
Mosquito
Control
Project

New
Business
cont'd

Mr. Lovering said he agrees with doing this but added that the towns have been very critical of the state's mandating policies without helping the towns pay for them, and that the town could give the state some suggestions for funding this pay increase.

Mr. Shanahan said he has become aware of drainage problems across from 79 and 83 Robin Hill Road and wants to ask the Building Inspector to check on this.

Mr. Currier said there are sections on Davis Road where water is running over the road and freezing and that this should be brought to the attention of the Highway Department. Mr. Shanahan said he thinks the Police Department should look into making this road One Way.

Mr. Currier said that there is skating on Mill Pond and Baptist Pond, and there are no paved parking areas at these ponds, and he thinks the VIA beach parking area should be plowed by the town in the winter.

Mr. Currier said he heard that Lloyd Green was letting the water out of Mill Pond late Sunday night, and he went to his home to talk with him. Mr. Currier wants to see the Board encourage people using Mill Pond for skating to walk to it across the Conservation Commission's land, and wants to see the police patrol that area when Mr. Green calls with a complaint. He further said that he thinks the Board needs to find a long-range solution to Mr. Green's raising and lowering the depth of Mill Pond, and wants to check with the Conservation Commission about using their land and having the town plow it.

Mr. Shanahan moved that the Board check with the VIA and Conservation Commission about the town's plowing their land adjacent to these ponds for parking, seconded by Mr. Murphy. Mr. Lovering said he thinks the Board should check with the Recreation Commission. Mr. Shanahan said he is concerned about Mr. Green's allowing people to skate and then endangering their lives by letting the water out of the pond. He thinks the Police Department should talk to Mr. Green.

Mr. Murphy said he believes that Town Counsel was asked about this over a year ago, and Mr. Currier said that if we don't have an opinion from him, let's request one. Mr. Shanahan said that he will vote against his own motion, that he wants to get the opinion of Town Counsel.

Mr. Shanahan then amended his motion to move that the Board check with the VIA about plowing their beach area and ask the Highway Department if this area is feasible to plow, seconded by Mr. Murphy, unanimous.

Corresp.
Summary
cont'd

Corres. Summary - Item 23: Mr. Murphy moved to appoint Robert A. Popplewell as permanent full-time Police Officer, seconded by Mr. Shanahan, unanimous.

Item 35: Opinion from Town Counsel re ticketing cars parked in fire lanes: this item was placed on Hold until Mr. Shanahan could be present to discuss it. Mr. Shanahan noted that Town Counsel has suggested 2 possible ways to enforce this, and moved that the Board use Chapter 90, Section 18 of the Gen. Laws, and within two weeks have the necessary legal papers drawn up with the shopping center owners who have voluntarily assented, seconded by Mr. Murphy, unanimous.

Adjournment

Mr. Murphy moved to adjourn the meeting at 10:45 p.m., seconded by Mr. Shanahan, unan.

For the Board of Selectmen, by

Judith E. Carter

Members
Present

Regular Meeting of the Board of Selectmen held January 9, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Hart would be detained and would join the meeting in progress; and Mr. Lovering. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Jan. 3 meeting.

Board Report

Mr. Shanahan reported that he had been contacted by Commissioner McLaughlin's Office and a mtg. will be scheduled with the BOS & Mr. McLaughlin on Jan. 30 to discuss the future use of the Middlesex County Training School.

The AA reminded the Board that the RecComm hearing on the Master Plan will be held on Jan. 10 at the East School; the Vrouhas hearing before the ABCC will be Jan. 12 in Boston.

The AA informed the Board that we rec'd. a request for comments from the NMAC re: addition to the NVTSH - on a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to not concur with the recommendations for the addition and forward NMAC a certified copy of the vote on that article at the STM on Dec. 13 along with a transmittal letter indicating that the Selectmen are unan. opposed to this addition.

Mr. Murphy requested that the minutes reflect the fact that to date, the Board has not received reports from the BI on abandoned bldgs; temporary signs at Drum Hill; and zoning problem on Pine Needle Street.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Fred Swiderski, 16 Edgelawn Avenue as CETA Housing Survey Aide at the salary of \$134.10 per week. On the recommendation of the School Dept., on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Robert Williams, Boston Road, as School Security Aide at the specified salary, under the CETA Program.

Unfinished
Business

The Adm. Asst. interviewed approx. 10-12 persons for the position of Town Hall Custodian. After review of applications and the interview process, she recommended Patrick Murtagh, Boston Road, for the position. Mr. Murphy placed his name in nomination - there were no other nominations. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Mr. Murtagh as Town Hall Custodian at the salary of \$156.40 per week.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request of the Town Celeb. Comm. in the amount of \$5,000.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request of the Sealer of Weights & Measures in the amount of \$2,300.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request of the Bldg. Insp. in the amount of \$25,725.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request of the Gas Insp. in the amount of \$4,601. The Board agreed to consolidate the ^{office} expenses for the Bldg., Gas, and Wiring Depts.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request of the Wiring Insp. in the amount of \$16,337. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize the Wiring Insp. to meet with the Personnel Board, per his request.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the budget request for the Youth Center in the amount of \$33,282.

The AA provided Board members with a list of proposed articles for the 1978 ATM Warrant which the Board will review - articles may be withdrawn by the Board if deemed appropriate at a later date.

The Board agreed to hold on the Fiske House, Inc. until Sel. Hart arrives at the meeting this evening.

Item 18 - corres. from M. Siflinger, HUD re: application for Housing Assistance - the Bd. will provide the AA with comments.

Corres.Sum.

Item 14 - corres. from NE Solid Waste Comm. - Under Board discussion, the Board agreed to add this to the list of articles for the ATM, in the event that the Town would wish to join same. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to include the article in the ATM warrant.

Corres. Sum.
continued

Item 15 - corres. from Civil Service re: police exam - Mr. Lovering is concerned that Room 213 at the McCarthy Jr. HS may be too small for the exam, if many applicants take the exam. Mr. Lovering suggested that the AA get an estimate from Civil Service as to the anticipated number of applicants in order that arrangements may be made if it is determined that the room should be changed to a larger room.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the balance of the AA's recommendations on the corres. sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. Murphy requested that the AA determine whether or not the Welfare Office in the Town Hall will be closing-a rumor is circulating to this effect.

The Board agreed to add an article to join the Mosquito District in the list of articles for the ATM Warrant - the Board further agreed to request input from the EAC on this, and to forward the EAC info. we have received from the District to date for their input and review.

Mr. Murphy noted that Chapter 40 has been amended and this will have some effect on the emergency street opening permits which the Town voted as an article two years ago dealing with repairs on private ways. Mr. Murphy stated that the section of the law which the Town adopted has been removed from the law. We will have to seriously think of what we will do now, without that bylaw. We will have to determine if the section we adopted is gone; if so, either the Hghy. Supt. or the DPW Study Comm. or the Consultant to the Hghy. Dept. could develop some framework for a bylaw which might address some of these questions.

Mr. Currier informed the Board of a moving van parked at 19 Parlee Road - he had brought this to the Board's attention previously and the BI had taken action re: same. The van was parked there in violation of the bylaw & night parking ban. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to inform the BI of this situation, as the van is still being parked at 19 Parlee Road, and request the BI to take legal action to see if we can secure an injunction to prevent this vehicle from parking at that location.

Mr. Murphy stated that he would like to add on some of his own concerns in the memo to the BI, in order that some of the matters which he addresses at meetings will be acted on by the BI-abandoned bldgs, Pine Needle Street. Mr. Murphy would like total enforcement in the community.

Mtg. with
Council on
Aging re:
State Grant
Application
For SCDIC

At 8PM a mtg. was held with Kathy Robinson, Town Aide and member of the Council on Aging to discuss an application for state grant to furnish the Sen. Cit. Drop-In Center on Mill Road. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to support the application-the amount of State funds requested is \$2,713.

Adjourn to
Exec. Session

The Board had a scheduled meeting with Paul Henderson at 8:15 PM to discuss a grievance (Fire Dept). On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Executive Session to discuss an employee's grievance, under Collective Bargaining. Roll Call vote to adjourn to Exec. Session was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Currier-Aye.

Return to
Open Meeting

At 9:45 PM the Board reconvened to the Open Meeting. Sel. Hart arrived while the Exec. Session was in progress at 8:30 PM.

Under Unfinished Business, the Board discussed the Fiske House, Inc. Mr. Shanahan, in accordance with his April 26 point of privilege, abstained from discussion on this liquor license. Selectman Currier read a letter received from the All Saints' Episcopal Church as follows: "January 8, 1978 (received on Jan.9): On behalf of the Parish of All Sanits the Vestry wishes to call to your attention that when the proposed plan for the use of the Fiske House was discussed with us on Dec. 20, the rep. of Fiske House, Inc., Mr. Wesley Owen, answered the question, "Will there be a lounge connected with the restuarant?" as follows: "No. Our plans call for a service-bar waiting area on the first floor at which patrons who are waiting to be seated may have a drink." We now learn that the proposed plan calls for a large cocktail lounge in the basement of the home with a separate entrance and with a significantly larger number of tables than is warranted for the purpose of serving those waiting to dine. We oppose this very much. While we do not resist the opening of a fine restaurant in this historic home, we very much oppose, now and on Dec. 20, the creation of a cocktail lounge whose location in the house invites patrons to use the lounge in a way that is unrelated to the function of dining. The proposed lounge underneath the restaurant was misrepresented to us. If you should grant Fiske House, Inc. the license to serve alcoholic beverages we urge that you restrict the seating capacity of this lounge and the hours the lounge may operate, both consistent with the declared intent of the management to serve only patrons who are waiting to dine. Thank you for your interest and attention. Yours truly, Herbert Willman, Senior Warden, Parish of All Saints (signed)-(sic). Mr. Murphy stated that he considers this letter as a protest against a portion of the plan, as presented on Jan. 3-he feels that the Board has two choices: Determine that the plan as presented is unacceptable and reject same and deny license; or, acknowledge the concerns of the Church and award the license with restrictions which will meet the objections of the Church. In the plan as presented on Jan. 3, sixty persons could be accommodated in the lounge, and ninety-six persons could be accommodated in the restaurant. Attorney James Geary, representing the applicant, Rosario Turco, was present and requested permission to address the Board, to clarify any questions the Board may have. Mr. Murphy stated that he objected to any additional comments from Mr. Geary. Mr. Hart asked what the closing time on the application was - Mr. Currier informed him that the opening time was 11AM and the closing time was 11PM. Mr. Hart stated that the hours for the lounge should be the same as the hours for the dining room, that is, 11AM to 11PM. Mr. Murphy noted that in the Jan. 3 presentation, there were to be two dining rooms on the first floor and four dining rooms on the second floor, not in the basement. Mr. Lovering stated that he interprets the letter from the Church as being opposed to a lounge which would be used by persons other than those waiting to dine in the Fiske House, Inc. Contingent upon the following eight (8) stipulations being met, on a motion by Mr. Murphy, seconded by Mr. Hart, it was voted four in favor, one present not voting-Mr. Shanahan, to grant the Fiske House, Inc. an All Alcoholic Common Victualler License with the following stipulations and restrictions: 1) contingent upon all proper permits being received by the applicant from the Board of Health; 2) contingent upon all proper permits being received by the applicant from the Historic District Commission and copies to the Board of Selectmen; contingent upon all proper fire alarm or fire prevention apparatus being installed in that structure upon inspection by the Fire Chief; 4) contingent upon all State Building Code Commission regulations being met in terms of structural capability, a certification is to be received from a Certified Engineer stating that the building is sound structurally to the BOS; 5) restriction of no food service in the basement; restriction of no bar in the basement; restriction of seating in the basement for approximately 24 people who could receive liquor (brought downstairs from the first floor bar) while they are awaiting a table in the dining room-this is to be restricted by size and accessibility to the waiting area; 6) restriction in hours of operation from 11AM to 11PM; 7) stipulation that the applicant will execute a two year contract with Mr. Owen; Manager; 8) contingent upon the applicant, Mr. Turco's sale of his gas station - the Board agreed that the license would only be granted with the provision

Unfinished
Business
continued
Fiske House,
Inc.
Meeting
Adjourned

that each of the afore-mentioned eight (8) items are met by the applicant. Roll Call vote on Mr. Murphy's motion was as follows: Mr. Murphy-Aye; Mr. Shanahan-Present, not voting; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:15 PM.

For the Board of Selectmen, by

Bonita Towe

Regular Meeting of the Chelmsford Board of Selectmen held January 23, 1978. The January 17 Selectmen's Meeting was cancelled due to heavy snow. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Hart. Mr. Lovering was out of Town on business and did not attend the meeting. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held Jan. 9-Regular & Executive Sessions.

Mr. Currier reported on a joint mtg. held on Jan. 19 with the Planning Board, Board of Selectmen, Building Inspector and Town Counsel to discuss communications, and to discuss the BI's authority to issue permits when there is a covenant on property. An opinion from prior Town Counsel indicated that the BI can issue bldg. permits when there is a covenant on property-present Town Counsel indicates that the BI should not issue permits when there is a covenant on property. Town Counsel will submit his opinion in writing to the Planning Board and Board of Selectmen. The Planning Board & BOS asked the BI to comply with Town Counsel's ruling - not to issue permits on property that carries a covenant. After some discussion, the BI indicated that he will comply with this.

The Board is awaiting written confirmation from the School Committee with regard to use of the McFarlin School.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a Request for Transfer from the Reserve Fund in the amount of \$406.75 for our Labor Relations Advisors. The transfer is necessary due to the numerous fact-findings and arbitration and the new Town Hall Employees Union.

Budget sessions will be conducted on Jan. 28.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Historical Comm. in the amount of \$1,640.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Ins. Adv. Comm. in the amount of \$531,215.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the HRAC in the amount of \$300.

On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted three in favor, one opposed-Mr. Shanahan, to approve the budget request for the Law Department in the amount of \$23,000. Mr. Shanahan stated that the total amount of \$2,500 for expenses in the Law Dept. is not entirely just for expenses-\$1,500 of that amount goes directly to the Attorney serving as Town Counsel as additional compensation. Mr. Shanahan feels that any Attorney hired on an hourly basis should include his overhead within the \$35 per hour fee.

Item 12 - corres. from Edward Hilliard, et al re: Data Processing Needs - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform Mr. Hilliard that the Sel. Office may have some data processing needs for the jurors list - the Board would like to attend any mtg. that the DPC may have for further direction - the Board will request an opinion from Town Counsel as to whether or not Data Processing services are professional services and are exempt from the bidding law-or if it requires open bidding.

Item 16 - corres. from Paul Bienvenu re: Pandelena work on Fletcher St. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted not to release Mr. Pandelena at this time until we have further clarification as to whose responsibility it is for the completion of the contract on Fletcher St.

Members
Present

Minutes
Adopted

Board
Reports

Adm. Asst.
Reports

Unfinished
Business

Corres. Sum.

Item 22 - corres. from Chief Reid re: repair to pump on Engine 4 - the Bd. agreed to forward a copy of this corres. to the FinComm in the event that we will need a transfer in the future.

Item 27 - corres. from John Szabo re: conditions on Wildes Rd. - the Bd. agreed to request a report from the Hghy. Supt. as well as Town Counsel re: allegation that contractors left granite stone in the roadway.

Item 29 - Board discussion re: corres. from Historical Comm. about celebration of 325th Anniversary of the incorporation of the Town of Chelmsford - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the Hist. Comm. that the Selectmen are not interested in proceeding with plans for the incorporation at this time.

Item 30 - Board discussion re: corres. from J.P. Gravell re: Bartlett Street & Acton Road - Mr. Currier stated that a well in the vicinity in question was over-running into a leaching field, which would fill up and run down the road. The Police Dept. notified the owner of the property to stop this. Mr. Currier suggested that the Board ask the Hghy. Dept. to install some more reflectors at this intersection where the barrier is located, so that persons travelling down Acton Road towards the Center would be more aware of the barrier.

Recommendations of items 36 & 35 were inadvertently omitted from the Corres.Sum., they are as follows:

Item 36 - corres. from Storch Engineers re: Commonwealth Federal's plans for bank at Central Square - the Board agreed to accept the report and forward a copy of the report to Atty. John Carragher, Counsel for the Bank. We will ask Atty. Carragher to keep us informed of any changes in the bank's plan for that location.

Item 35 - recommendation is that the AA will set up a mtg. with the Girl Scout House to discuss renewal of their contract at the Grange.

Item 38 - corres. from Louis Rondeau re: snow removal from the squares in North Chelmsford and Chelmsford Center. The Board agreed that we may have to ask the FinComm for a transfer-if they do not have the funds, we will have to declare an emergency and request the money from the State.

Item 41 - corres. from BI to Soucy Constr. Company re: alleged zoning violations on Pineneedle Street - we will advise the BI that we are considering this response as a progress report-we will forward Mr. O'Neil's letter to the BI for a report.

Item 45 - corres. from BI on abandoned bldgs. The Bd. agreed to forward a memo to the BI by priority corres. requesting that he take some action on the McCoy property - an unfilled foundation, and forward the Bd. with a report on same; we will inform the BI that the signs in Drum Hill which the Board is concerned with are sandwich^{board} signs along the edge of curb which are hazardous to drivers in that area-the BI should remove these on sight, as the Study which is being performed will probably not be finished for some time-the study is quite large and time-consuming. The Bd. will request a report from the BI on these sandwich board signs, and we will request a copy of the letter which the BI sent to the realty trust re: Fletcher Street violation.

Item 46 - Board discussion on corres. received from Drum Hill Construction Corp., et al requesting price change for plowing. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to notify the plowers that we are not willing to discuss a change in the present rates; however, we are ^{willing to} discuss an increase for next year's rates.

Item 53 - corres. from NMAC re: 1978 CD Block Grants - the Board agreed to hold on discussion of this item until Sel. Lovering is present to discuss same at a meeting. It will be placed on the Agenda for 1/30 for discussion.

Mtg. with W.
Hedlund re:
space in Mc-
Farlin School
for Civil
Defense

A meeting was held at 8:00 PM with Walter Hedlund, Director of the Civil Defense Program in Town. Mr. Hedlund asked the Board that should the Town Hall move to the McFarlin School, the Civil Defense would like to request space in the basement floor of the McFarlin School for the Civil Defense Program. Mr. Ramsay has designed an area in the basement that could be used for this purpose. Mr. Murphy stated that the Board would reserve a space as requested by Mr. Hedlund. Mr. Shanahan noted that to date, the Board has taken no formal vote endorsing use of the McFarlin School as a Town Hall. Mr. Murphy stated that should the Town Hall move to the McFarlin School, the Townspeople would have to have a say in the matter through Town Meeting, as we will need funds.

Corres. Sum.
continued

Item 59 - corres. from the Dept. of Commerce & Development re: two new firms which have located in Chelmsford. Mr. Murphy stated that there is no need to contact the BI. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to amend the AA's recommendation to "Accept notification and congratulate the firms for locating in Chelmsford."

Item 60 - corres. from E. Day re: Chapter 32B Ins. Appropriation - the AA will place this item in the folder for the next Special Town Meeting, in order that action can be taken on same.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's Recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mrs. Haines informed the Board that for the past two years, the Town has not attempted to get bids for oil for the Town Hall, as prices were frozen on oil. The AA will re-bid for same.

The Board agreed to place under appointments on next week's agenda the appointment of someone to fill a vacancy on the Town Celebrations Committee - Mr. Charles Marderosian is interested in this appointment, and Mr. Hedlund, Chairman of that Committee feels that Mr. Marderosian would be an asset on the TCC.

Mr. Murphy reviewed the Telephone Company's brochure on the 911 Number - it suggests that if you are going to get involved with it, an advisory committee should be formulated to determine what areas or exchanges in Town will be served; what kind of capabilities exist in the number; can someone block out other calls by dialing 911; how can the line be cleared; where the phone should be located; who should answer it, etc. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to form a 911 Advisory Committee to evaluate the number involving the Police Chief, Fire Chief, Rep. of the Telephone Company, Civil Defense, Ambulance Service, and a rep. of the BOS. Mr. Currier designated Mr. Murphy to serve as the Board's rep. and as Chairman Pro-Tem - the committee will address policy questions and report back to the BOS within three months.

Mr. Shanahan requested an immediate status report on the fire lane parking matter from Town Counsel. The AA will telephone Town Counsel and ask him to provide his opinion to the Board for their next mtg. on 1/30/78.

Mtg. with
reps. of
American Fam
Life Ins.
re: cancer
insurance
for employee

At 8:30 PM a meeting was held with James Dunne and Charles Crosby, reps. of American Family Life Assurance Company of Columbus to discuss Cancer Care and Intensive Care Program Insurance for Town Employees on a voluntary basis. The Ins. Adv. Comm. and Town Treasurer have no objection to employees joining this voluntary program ^{payroll} deductions could be made by the Treasurer's Office. Mr. Dunne briefed the Board on the importance of cancer insurance in today's society and provided the Board with some alarming statistics regarding cancer. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to endorse this program. Mr. Dunne will contact the AA later in the week to determine when he can meet with interested employees to discuss the plan.

The scheduled 8:15 PM meeting with reps. of the Crystal Lake Fishing Association to discuss lights and hot-top ramp was not held, as neither Mr. Harper nor Mr. Cutter were present.

Mtg. with Crystal Lake Fishing Assoc. not held

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to adjourn to Exec. Session to discuss the discipline or dismissal of, or to hear complaints or charges against a public officer, employee, staff member or individual. Roll Call vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Hart-Aye; Mr. Currier-Aye. At 8:40 PM the Board adjourned to Executive Session.

Adjourn to Exec. Session

At 9:15 PM the Board reconvened to the Open Meeting, and met with Rep. Bruce Freeman, Rep. Philip Shea, Rep. Edward LeLacheur, and Sen. Carol Amick to discuss Legislation. At this point in time, Chairman Currier turned the meeting over to Sel. Murphy, who addressed our Reps. and Senator on behalf of the Board. Mr. Murphy informed our reps. that the Board is concerned with three items. The first item of concern is that at last year's Constitutional Convention there was discussion ^{on} prohibiting State-mandated costs or making them local option or requiring a 2/3 vote and that sailed through the Legislature with little or no discussion. The election is coming up and it is hoped that after the election the votes will be as unanimous as they were last year. The Reps. and Senator agreed that they would have no problem with voting in favor of this again this year. The second item of concern is that we just received some 6-9 months late a bill from Middlesex County for 1/3 more than we have in the budget - the deficit that we have not funded is approx. \$220,000, which is approx. \$1 on the tax rate - we would like a better way of coming up with what the budget is so that we can make sense with our own budget process when we go to Town Meeting; and we would like to have some way of controlling those costs. The third item of concern has to do with a rumor we have been hearing about Share - that the Methadone Clinic at Solomen Mental Health is allegedly going to move to the former Middlesex County Training School. We have checked with Share, and they have no intention of moving to Chelmsford at this time. Mr. Murphy asked for support from our legislators that no budget action will be taken to enforce this move against the will of the residents should the Legislature take action in this regard. Rep. Shea stated that he would not consider moving the 'problem' of the Methadone Clinic from one section of an area which he represents to another area which he represents (Pawtucketville to North Chelmsford). Rep. Shea stated that with regard to the Middlesex County Budget, he voted to ~~over-ride~~ the Governor's veto because he does not believe that any substantial cuts were recommended. Mr. Murphy provided the Board members and Legislators a copy of the 1978 Joint Legislative Program Summary. Mr. Currier asked that in the future, if the Legislators ^{have any problem} supporting any of the three items discussed above, or any items on the Legis. Program Summary, we would like to be notified of same. Mr. Currier thanked our Legislators for attending the meeting this evening and thanked Rep. Shea and Rep. LeLacheur for their dialogue in the past with the Board, as both of these reps. will no longer represent the Town of Chelmsford when the new Redistricting Plan goes into effect.

Return to Open Meeting - Meeting with Representatives & Senator at 9:15PM to discuss Legislation

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:00 PM.

Meeting Adjourned

For the Board of Selectmen, by

Bonita Towle

Jurors drawn on Jan. 23 by Sel. Murphy were as follows: For Lowell: Mary Allaby, 20 Marina Road; Irene Collins, 11 Chestnut Hill Road; For Cambridge: Bernard Clark, 11 Sharon Ave; Barbara Stone, 5 Sleeper St; Robert Archambault, 19 Mission Road; Anthony Fafalios, 11 Janet Road.

Jurors Drawn

Regular Meeting of the Board of Selectmen held January 30, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Lovering; and Mr. Hart. Mr. Currier, Chairman, was out of Town on business and joined the meeting in progress at 8PM. Mr. Murphy, Vice-Chairman, chaired the meeting until Mr. Currier's arrival. Mrs.

Members Present

Haines, Adm. Asst., was also present. Mr. Murphy, acting as Chairman, called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Sel. Mtg. held Jan. 23 - Regular and Executive Sessions.

Adm. Asst.
Reports

The Adm. Asst. reported that the mtg. with Mr. Flynn of the Dept. of Community Affairs will be held on Feb. 1 at the Univ. of Lowell.

The Adm. Asst. informed the Board that a mtg. has been scheduled with Sen. Carol Amick & the other surrounding Towns to discuss Legislation on Feb. 2 - the AA informed the Board that we have only received a response from 1 community and she suggested that if we find that not many communities will attend, the mtg. should be cancelled. She will inform the Board of her findings, as well as the press, if the mtg. will be cancelled.

Unfinished
Business

Sel. Lovering and Mrs. Haines conducted interviews on Jan. 27 for the positions of CETA Purchasing Agent and CETA Town Planner. Recommendations were as follows: on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Joseph Maher, 20 Chatham Road, as CETA Purch. Agent at \$176.07 per week plus mileage; On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint John Larson, 18 Parlee Road, as CETA Town Planner at \$176.07 per week plus mileage.

Mr. Shanahan moved the nomination of Charles Marderosian, 11 Buckman Drive to the Town Celebrations Committee - he was unan. appointed by the Board.

In view of discussions held at the budget sessions on Jan. 28, the Board discussed a request of J.P. Gravell, CH of the HRAC to increase his budget. The Board agreed not to approve a change in the HRAC budget.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for the Council on Aging in the amount of \$11,300.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for the Town Aide as amended (less increase for Town Aide) in the amount of \$10,035; and it was agreed that the Town Aide may have permission to appear before the Pers. Board regarding her request for increase in salary.

On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to approve budget request for Edwards' Beach in the amount of \$500.

On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Varney Playground in the amount of \$7,600. Mr. Murphy noted that VP will prepare the beach - the budget for operation of same will come under the RecComm budget (lifeguards, etc.).

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for the Town Accountant in the amount of \$45,263 and the Board approved Mr. Day's request to contact the Pers. Bd. re: salary increase.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for the Board of Appeals in the amount of \$4,714.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for the Animal Inspector in the amount of \$1,100.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to approve budget request for Insect Pest Control in the amount of \$14,100.

Mr. Lovering suggested that the Sel. Office maintain an official memo which lists the position of the BOS on budgets as follows: Dept./ Total amount voted for recommendation/ breakdown into two categories-salary & expenses/total voted at last year's Town Mtg./FinComm recommendation.- this item was unan. voted on a motion by Mr. Lovering, seconded by Mr. Shanahan.

Sealed bids were opened and read aloud for the 1977 Annual Town Report and Finance Committee Recommendations. Bids opened at 7:45 PM were as follows: Municipal Reports: ATR-\$40 per page; FCR-\$40 per page; Shawprint: ATR-\$35 per page; FCR-\$29.51 per page; Picken Printing: ATR-\$31.75 per page; FCR-\$22.75 per page; Rene Press: ATR-\$28.50; FCR-\$17.50 per page. The Board took the bids under advisement.

Bid Opening-
1977 Annual
Town Report
& FinComm
Recommendations

Item 2 - corres. from Town Counsel re: appeal of Charles Vrouhas - Mr. Lovering asked whether or not the question of Mr. Shanahan's abstention from voting on liquor licenses was raised in a manner in which the Board should request Mr. Shanahan to request an opinion on same. Mr. Hart recollected that the question of abstention was raised by the Attorney for Mr. Vrouhas, and that all duly-elected members of the Board who felt they could vote on the license did so; therefore, it was a legal vote and should not concern the ABCC.

Corres.Sum.

At this point in time Mr. Currier joined the meeting in progress.

Item 3 - corres. from NMAC re: 1978 Block Grant Application will be discussed as an agenda item during the meeting with the EAC at 8:30 PM.

Item 7 - corres. from Southeast Solid Waste Committee re: their program - Mr. Lovering requested that the AA determine who their suppliers are, and he further requested that she obtain a contract from the North Andover firm.

Item 9 - corres. from FinComm - Board discussion re: budgets of Gas, Wiring & Bldg. Insp. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to, in accordance with the FinComm's request, list the breakdown of the Wiring, Gas & Bldg. Inspectors separately. The Sel. had suggested that they be listed together so that we could adequately judge what the three departments spent in terms of office supplies.

Item 11 - corres. from Chief Reid re: his non-participation in smoke detectors program - Mr. Lovering feels that this is unfortunate that cost/benefit service re: smoke detectors cannot be provided to our residents.

Item 15 - corres. from Town Counsel Clement McCarthy re: Town of Chelmsford vs. Ronald Pare - Sel. Lovering suggested that the Board obtain some input from the residents of East Chelmsford who were very active in this issue on their feelings regarding the results of this case. On a motion by Mr. Lovering, seconded by Mr. Currier, it was unan. voted to ask Town Counsel what our flexibility is regarding this case.

Item 16 - corres. from Chairman of the RecComm Robert Charpentier re: request to extend two CETA employees term of service with the RecComm. The Board discussed the matter, and on a motion by Mr. Currier, seconded by Mr. Shanahan, it was unan. voted to deny this request, in order to be consistent with their past practice.

Item 18 - corres. from Dep. Fed. Insurance Administration re: Flood Insurance Program - on a motion by Mr. Currier, seconded by Mr. Shanahan, it was unan. voted to determine from Mr. Hunter the state of the Flood Maps for Chelmsford.

On a motion by Mr. Currier, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the Adm. Asst's. Recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

At 8PM a meeting was held with Michael McLaughlin, Middlesex County Commissioner, to discuss the future use of the former Middlesex County Training School. Mr. McLaughlin informed the Board that during the past 5-6 months, the Commissioners have made a firm commitment to sell the Training School. At present, several of the bldgs. are being utilized by several service organizations, however, money is

Mtg.with Mid.
County Cmsnr.
McLaughlin
re: Training
School

Mtg. with
Mid. County
Cmsnr. Mc-
Laughlin
continued

being lost. Sel. Shanahan informed Cmsnr. McLaughlin that some time ago, the Board appointed him as their rep. on the Task Force - Sel. Shanahan had spoken with Mark Hall and informed him of same, however, it was reported in a local newspaper that Chelmsford's rep. had not yet been determined. Cmsnr. McLaughlin said that he was not aware of this appointment. Cmsnr. McLaughlin stated that the sale of this facility will have to be put out for bid. Mr. Murphy suggested that the Task Force be provided with a copy of the Chelmsford bylaws which apply to the property in question. Its previous use was discontinued as a Training School. Any desire to change the zoning should come before the Town at a Town Meeting, Mr. Murphy stated. Mr. Murphy feels that a timetable should be established, so that present tenants will not be left homeless - Cmsnr. McLaughlin stated that they will help the current tenants seek new homes for their organizations. Mr. Lovering stated that other than the slight interest in the property

by the Chelmsford Housing Authority, he knows of no other governmental interest by the Town of Chelmsford, and he requested that our input be considered to allow the neighborhood to be part of the process-we do not want to see the facility sold for a use that is not in harmony with that neighborhood. Cmsnr. McLaughlin stated that the Commissioners are committed to not only include a citizen appointed by the CBOS as well as a rep. of North Chelmsford who happens to be an abutter. Mr. Lovering requested that the use aspects be given as much consideration as the monetary aspect-Cmsnr. McLaughlin stated that he, personally, can give the Board that commitment. At this point in time, Cmsnr. McLaughlin has not heard any firm commitments for intent to purchase the property. Mr. Hart asked if it would be possible to purchase a small portion of the property for a specific Town use-Cmsnr. McLaughlin guessed that it could be possible, but at this time he could not guarantee its probability. Mr. Shanahan stated that purchase of the entire 64 acres is worth much study. In answer to a question from Sel. Lovering, Cmsnr. McLaughlin stated that the question of splitting up the purchase as suggested by Sel. Hart would be a charge of a professional consultant, rather than the Task Force. Cmsnr. McLaughlin informed the Board that with regard to printing of parking tickets by the County for the Town-the increase must be approved by the County Cmsnrs. Cmsnr. McLaughlin stated that he has a memo from the budget director indicating that cost would be \$35 per 1,000 tickets, in addition, the County would have to pay \$55 per 1,000 for summonses, and a position may be created in the Lowell District Court to handle the printing of all the tickets. Mr. Shanahan stated that our main concern is the approval of the fee (increased) by the County Cmsnrs. Cmsnr. McLaughlin stated that he does not think the increased fines will present a problem - Mr. Currier requested that Cmsnr. McLaughlin address this issue at the earliest possible date and communicate the County Cmsnrs. position back to us.

Boy Scout
Present

Mr. Currier recognized the presence of Dan Jacavano, a Boy Scout working on his Merit Badge - a certificate will be forwarded to him for attending this meeting.

New Business

Mr. Murphy requested that the AA obtain a copy of the Soucy Bldg. Permit for construction on Pineneedle Street be forwarded to the office.

Mr. Lovering suggested that the Board appoint someone to study the LRTA-analysis of dollars we have in the budget vis-a-vis what LRTA can do for us & our elderly so that we can be prepared at Town Mtg. to tell the people our position. Mr. Currier stated that this will be placed on next week's agenda.

Mr. Lovering stated that we have not addressed the subject of drainage for Town Mtg. purposes. He suggested that we institute a program similar to the one we instituted for sidewalks, whereby each year we went before the Townspeople with a figure for sidewalk construction. The Bd. agreed to request Paul Bienvenu to work with the AA to prepare an article-the Bd. will request verification from the Town Acct. in terms of funds expended and funds which the State has paid for.

Mr. Lovering stated that as our NMAC rep., he has noticed that on a large number of issues which effect Chelmsford, we do not really seem to have a lot of Town input from the Board of Health, Cons.Comm., and Flood Plain Control, etc. Mr. Lovering feels that we should find a better way of getting our inputs into that system. NMAC is willing to come to Chelmsford and make a presentation to all of our Boards concerning all of the subjects they are working on - the status as to where they stand, the status of Chelmsford within that subject, the potential role of Chelmsford within that task, and a recommendation as to how we can best communicate with them on that task. The Board endorsed this concept, and Mr. Lovering will so inform NMAC.

The Board agreed to forward a letter to Mass. Electric asking them to give us a summary position on where they think we stand in regard to the tree situation as it effects service, or loss of service and pruning by MEC.

A meeting was held at 8:30 PM with the Environmental Advisory Council to discuss a) Mosquito District; b) Salt Shed; and c) Recycling Program. Present from the EAC were: Mrs. Ina Greenblatt, Dr. Ethel Kamien, and Diane Lewis. Walter McNamara and Ms. Ruth Carroll of the Recycling Coordinator's office were also present. Mr. Currier informed the EAC that we met with reps. of the CMMCD to discuss re-entering this program. The Board of Health and the EAC are not happy with the services provided in the past by the CMMCD. Mrs. Greenblatt stated that they met last Tuesday and presented the steering committee with info. regarding the project. At present, the cost to Chelmsford would be approx. \$14,000, and this amount would go up yearly. The District has 14 laborers divided amongst 31 towns, and all of the laborers are not fully qualified. After lengthy discussion, it was indicated that the EAC and the Board of Health are not desirous to have the Town of Chelmsford rejoin this project.

Mtg. with EAC
re: mosquito
district,
salt shed, re-
cycling pro-
gram

Mr. Lovering made a lengthy presentation regarding the status of the Recycling Program in Chelmsford. It dealt with the following items: Meetings with Highway Drivers, Meeting with Stoughton Recycling People, Trucks, Recycling Brochure, Cost of Brochure, Recycling Categories, Calendar, Routes, Pricing, Receiving Station, Public Relations, Telephone and Schedule. The logo for the Recycling Program is "Trash Is Cash". The mtg. with liasons of organizations to inform them of the program is scheduled for Feb. 15 at the East School. Mr. Lovering had provided status reports of meetings held regarding the interim status of the recycling program to the Board of Selectmen, Adm. Asst., Cons.Comm., EAC, FinComm, Health Dept., Highway Dept., Highway Dept. Consultant, and the Recycling Coordinator dated Jan. 18, 1978, Jan. 24, 1978 and Jan. 27, 1978, which contain the material which Mr. Lovering presented to the Board. Mr. Shanahan stated that the only problem he has with the presentation is that he feels that a job of this type of scope should not be carried out by volunteers (they might miss giving the brochure to a house) he feels that it should go out in the mail, preferably included in the March tax bills. Mr. Shanahan stressed his concern of this mandatory program being distributed in the same manner in which the Independent Delivery Service delivers their materials. Mr. Lovering indicated that the concept of having the program be voluntary for the first three months has been considered. Mrs. Greenblatt felt that the schools should be more involved in the recycling program. Mr. Lovering informed Mrs. Greenblatt that it is very easy to determine how much money we have made on the Recycling Program, by checking with the Town Acct. The EAC stated that the Hghy. Dept. has red-ticketed bags of paper which were bundled-they will only accept paper which is tied, and residents should have been made aware of this. Mr. Lovering stated that he does not think that when papers are deposited at the receiving areas that they will have to be untied. Mr. Lovering suggested that on the long-term basis, we should establish a regulation that paper must be tied.

Mrs. Greenblatt stated that some time ago the EAC had informed the Board, in a report, of their position that the salt shed should be located at the landfill. Mrs. Greenblatt and members of the EAC feel that the herbicides being sprayed by

Mtg. with EAC
continued

MEC are harmful. Dr. Kamien stated that 2-4-D and 2-4-5T were used in Viet Nam and cause malformations in babies - they are extremely dangerous. Use of these should be questioned. Mr. Currier suggested that next year, MEC consult the BOS prior to spraying defoliants. The Board agreed to forward a copy of corres. #13 from MEC to the EAC to get detailed info. on same, and we can in turn, forward the EAC reply to Mr. Downing. The EAC will contact Myles Hogan, Tree Warden, regarding repeated requests they have made for a complete breakdown of what materials he uses in his spraying program, where & when they are used, how many trees have been removed, etc.

New Business

Mr. Lovering suggested that the entire issue of potentially moving to the McFarlin School be placed on the next agenda. Mr. Murphy stated that we have asked Nashoba to evaluate the use of the bldg., and before we make a decision in that regard we should get the Nashoba report. Mr. Shanahan stated that McFarlin might possibly be used for academic classrooms - this issue was not addressed. Mr. Shanahan suggested that we reiterate our suggestion.

Mr. Hart suggested that a mtg. be scheduled with the HRAC to discuss the direction of that Committee.

Mr. Hart suggested that the CATV Comm. come before the Board to inform the Selectmen of the status of Cable TV in Town in the near future.

Mr. Lovering informed the Board of a zoning problem which is re-occurring in Town- the property in question was owned by Mr. Hillman and Mr. Humphrey is now living in the premises at 30 School Street, a single-residence home which is being used for the purpose of staging vehicles (plowing & sanding when the weather is bad). Also, at 2:30 AM three trucks get lined up in bad weather with engines being revved up- the trucks have NH license plates apparently being used for plowing in Mass., and it was agreed to request the BI to look into this matter.

Mr. Hart stated that there is a section of North Road, almost up to the Loiselle property, at which there is a lot of water coming down the face of the wall and onto the sidewalk and freezing and covering up drains. The Board agreed to request the HD to investigate this problem.

Mr. Currier spoke to someone involved with Mr. C's Rock Palace re: flyers placed in many locations in Town, in violation of the zoning bylaw re: signs. The person was belligerent to Mr. Currier, and Mr. Currier called the PD and had the discussion logged for the record. The Board agreed to ask the BI to have same removed.

Mr. Currier stated that we have to discuss a grievance, which will be reviewed in Executive Session; also, Mr. Currier received a copy of a letter over the weekend which he provided each Bd. member with- Mr. Currier is not certain whether the contents of that letter should be discussed in open session or in exec. session. Mr. Currier & Mr. Murphy reviewed the Exec. Session Rules on Sunday, Jan. 29, and they are not certain how the discussion should be held. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was voted four in favor, one opposed- Mr. Murphy, to discuss the reputation and character, physical condition or mental health, rather than the professional competence of a single individual. Mr. Lovering asked Mr. Shanahan if, by the nature of his comment, he will participate in the discussion- Mr. Shanahan said not necessarily, and he does not feel that Mr. Lovering's question is relevant until such time as the Board goes into Exec. Session. The Board went into Exec. Session at 10:07 PM.

At 10:27 PM the Board reconvened to the Open Meeting. Mr. Currier informed the audience that the Board will now discuss the item which they had just discussed in Exec. Session, as it has been determined that it was not in order to discuss the matter in Exec. Session. Mr. Shanahan, in accordance with his April 26 Point of Privilege, abstained from discussion regarding the Fiske House Alcoholic Beverage

Adjourn to
Exec. Session
to discuss
letter re:
Fiske House,
Inc. Manager

Return to
Open Mtg.
to discuss
letter re:
Fiske House,
Inc. Manager

discussion re
Manager of
Fiske House,
Inc.

continued

License. Mr. Currier stated that he was handed the letter in question on Jan. 29, and made copies of the letter and placed same in each Board member's mailbox in the Sel. Office. The letter is as follows: Jan. 11, 1978 - to Mr. Edward Krasnecki, Managing Editor, Chelmsford Newsweekly, Inc. 5 North Road, Box 148, Chelmsford, MA, 01824 - Dear Mr. Krasnecki: We are indeed disappointed we have not been consulted on any of the facts regarding our name constantly being bandied about concerning the Fiske House restaurant plans. P James Haller, Chef: Mark John Burke, Business Manager and Gene Brown, Public Relations are the original owners of the Blue Strawberry Restaurant, Portsmouth, N.H. founded 1970 and the Lee-Fontaine Carriage House Restaurant, Memphis, Tenn., founded 1976. We are in no way connected with the Fiske House plans. No responsible person from Blue Strawberry, Inc. represents us. P Two articles in the "Lowell Sun" and the one in your January 5th issue infer we could not have become the internationally successful restaurant the three of us have worked so hard to accomplish over the past seven years without the help of Mr. Wesley Owen. Mr. Owen was a part-time waiter over a five month period. He was offered a managerial-waiter position in Memphis. After a little over two months he walked out on us in the middle of the night with no explanation. Hardly a consultant. P We wish all those who are connected with the Fiske House Restaurant good luck. P To all our friends in the greater Lowell area we thank you for your patronage in the past and look forward to having you dine with us in the future. Same location as always: 29 Ceres Street, Portsmouth, NH. Sincerely, Gene Brown, President, Blue Strawberry, Inc. (signed)sic. Mr. Currier voted for the license having confidence that Mr. Owen was a reputable restaurant executive who knew and understood the food and beverage industry. Mr. Currier, personally, would like to see a resume of Mr. Owen. Mr. Currier's intent in restriction #7 (two-year contract to be signed by applicant and Mr. Owen) was to have a qualified individual, be it Mr. Owen or another qualified individual to uphold the laws of the Town of Chelmsford. Mr. Currier said that if we have been mislead, he is very concerned. Mr. Lovering stated that the letter indicated above presents what he would classify as new information that has to be addressed. It has information in it is substantial, in terms of bearing on the issue of the license, in Mr. Lovering's opinion. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was four in favor, one abstention-Mr. Shanahan, to forward a priority letter to the ABCC informing them that we feel that the license voted Jan. 3, 1978, should be held for no action by the ABCC pending the Chelmsford Board of Selectmen's re-evaluation of new information presented, as the information presented appears to have the possibility of being inconsistent with some of the testimony given in the original presentation to the Board of Selectmen-we request their disposition asap; the Board further voted to request the applicant appear before them to discuss the employment and experience of Mr. Wesley Owen. Mr. Hart stated that the management of the Blue Strawberry must have had some faith in Mr. Owen's capabilities, if they offered him a waiter/managerial position in Tenn. Mr. Hart's question to Mr. Owen would be what was the reason that Mr. Owen terminated his employment in Tenn. Mr. Murphy feels that the experience level in the letter is not consistent with the presentation made to our Board-the idea was that the manager would be the cornerstone for the success of the project, making up for the lack of experience on the part of the owner. In the original presentation, Mr. Murphy did not feel that Mr. Owen's experience was part-time at the Blue Strawberry. Mr. Shanahan returned to the open meeting.

At 10:45 PM the Board adjourned to Exec. Session to discuss a Police Dept. grievance. Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye, on a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to adjourn to Exec. Session to discuss strategy with respect to collective bargaining or litigation which in open mtg. may have a detrimental effect on the bargaining or litigating position of the governmental body and to conduct collective bargaining sessions.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to return to open meeting and adjourn same. The meeting adjourned at 10:55 PM.

For the Board of Selectmen, by

Bonita Towle

Adjourn to
Exec. Session
to discuss PD
grievance

Return to
Open Mtg. -
Meeting
Adjourned

Members
Present

Regular Meeting of the Board of Selectmen held Feb. 13, 1978. The Feb. 6, 1978 Selectmen's Meeting was cancelled due to the Feb. 6 blizzard. A report will be provided by the Civil Defense Director later on this evening, with regard to the blizzard and progress to provide services in Town during the aftermath of the storm and the State of Emergency.

Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:35PM.

Proclamation

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim Sunday, Feb. 19, 1978 as Heart Sunday in the Town of Chelmsford. A photograph was taken with two students and Sel. Currier & Sel. Shanahan.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Regular Meeting held Jan. 30, as corrected, and the minutes of the Exec. Session held Jan. 30, as corrected.

Board
Reports

Mr. Murphy requested that the AA contact the telephone company's rep. on the 911 Study Committee to set up a mtg. of the committee in the near future. The AA will forward each comm. member pages of the tel.co. pamphlet re: planning for their info. Mr. Murphy reported on a mtg. with the Dept. of Community Affairs, sponsored by Sec. Flynn, held two weeks ago at Lowell University which he and Sel. Lovering attended. Sec. Flynn explained many of the programs which are going on - Mr. Murphy brought a pamphlet to the Board on services provided by the DCA. The DCA would like the towns to come back to the State with a project that makes sense for local governments - the State has some latitude and some grant monies and they may well consider some projects in this area - we should meet the challenge and develop a project.

Mr. Shanahan reported that he received a telephone call from a rep. of County Cmsnr. McLaughlin's Office re: our request for info. and approval to increase traffic fines & to have tickets printed by the County. Mr. Concannon, the county cmsnr's. rep. informed Mr. Shanahan that after researching the matter, it has been determined that the Chelmsford BOS do not need permission from the County Cmsnrs. to increase our fines. Mr. Shanahan stated that he feels that the Bd. should contact Town Counsel regarding the fine rates. The County will print same for the Town of Chelmsford. The Bd. agreed to place the matter of defining a schedule of rates on the 2/21/78 agenda.

Mr. Currier reported that he received a telephone call from S. Lester Ralph, County Cmsnr. who informed him that he could not attend the mtg. the Board held with Cmsnr. McLaughlin - Cmsnr. Ralph wanted to go on record as being in favor of giving the Town of Chelmsford priority with regard to the sale of the MCTS facility.

Adm. Asst.
Reports

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award the bid for the printing of the 1977 Annual Town Report to Rene Press, of Fitchburg, MA at the rate of \$28.50 per page - costs include pick-up and delivery of materials to and from the Town Hall to the printer.

Dept. Head
Reports

Mr. Murphy requested that the record indicate that to date, we have not received responses from the Bldg. Insp. re: body shop on Route 110, and temporary signs at Drum Hill.

Unfinished
Business

Mr. Murphy moved the appointments of Mary Duff, 9 Zeus Drive and Charles Spear, 209 Graniteville Road to the HRAC - they were unan. appd. by the Board.

The Bd. agreed to hold on the appointment of a rep. of the BOS on the Industrial Dev. Financing Authority pending confirmation from Mr. Shanahan that if he were to be appd. as the Bd's. rep., there would be no conflict of interest - the Chairman suggested that Sel. Shanahan be the Bd's. rep. - Mr. Shanahan will research same.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Civil Defense in the amount of \$5,750.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for Conservation Comm. in the amount of \$13,275 - we will suggest that the Cons.Comm. re-arrange their expense items for development.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Dog Officer in the amount of \$15,367.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Elections Dept. in the amount of \$17,450.

Re: Fire Dept. budget request, Mr. Murphy stated that the \$15,000 stabilization fund could possibly be deferred for another year. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask Chief Reid, by priority correspondence, if he feels that the Town should consider purchase of the "Jaws of Life" ^{and cost of same} - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed-Mr. Lovering, to approve the Fire Dept. budget in the amount of \$1,218,052.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to hold on approval of the Hghy. Dept. budget request pending further communications with the Hghy. Supt. re: Snow & Ice account. A mtg. will be scheduled with Mr. Rondeau to discuss this matter.

Re: Police Dept. budget request, Mr. Murphy is concerned about \$1,500 worth of outlays - in mtg. with the Chief we had requested info. re: how he employs the radar, what he will do with them, etc. Mr. Murphy feels that the figure of \$1,000 is high for a 35 mil. camera-Mr. Murphy suggested that \$500 would be a more appropriate figure. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to approve the figure of \$5,833 (recording device, automatic dialer and \$500 for the camera) for the outlays. The Bd. held on discussion re: radar - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward by priority corres., a letter to Chief Germann asking him to submit the radar program to the Board prior to 2/21, and if the Bd. is satisfied, they can take action regarding the radar in the budget next week. Mr. Murphy stated that we agreed on 39 patrolmen and 11 officers-the FY 1979 request is \$1,162,913. Mr. Currier stated that the Bd. is in receipt of a memo from the Chief indicating that Judge Cowdrey has agreed that the signing of arrest warrants can be performed by the prosecutor-therefore, the Chief is suggesting that his overtime acct. for '78-'79 be cut by \$15,000-Mr. Lovering stated that this is a \$30,000 impact for the Town of Chelmsford. Mr. Murphy feels that if the Board can support the budget the Chief presented, minus the savings of the court officer and his outlays right now to the extent of \$5,833 with the potential of another \$1,000 if, in fact, the Chief can develop a reasonable radar program-we will vote next week. Mr. Currier suggested that the Bd. take out the full \$30,000 for the court officer, as well as the \$30,765 school traffic supervisor-it will have to go into another budget, we will not save that money. Mr. Lovering wished to go on record in support of the Chief's letter and the \$15,000 reduction only, leaving the balance in-Mr. Shanahan agreed with this - Mr. Shanahan feels that the \$15,300 should be left in, and the \$15,000 should be removed. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Chief Germann if the \$30,300 in his budget is the same \$30,300 which the Board requested be cut out of his budget last year at Town Meeting, we will ask the Chief to substantiate his history of the Special Acct. & Reg. Acct. over the last five years, as well as the explanation re: \$30,000 cut. The Bd. agreed to hold on the budget for one week.

At 8PM a mtg. was held with reps. of the State DPW re: TOPICS Program. Mr. Al Laing and Mr. Wm. Prette were present from the State. The Bd. forwarded a letter to the DPW in Jan. re: recommendations in the 1972 report concerning the Drum Hill Rotary, flashing beacon at the int. of Hunt & Littleton Roads & new stop signs, fire pre-emption lights at the Fire Stations and inspection of dangerous intersections in the community. Mr. Laing stated that the report by Tippetts, Abbott, McCarthy & Stratton was Phase I in the program - Phase II would be a more detailed

Unfinished
Business
continued

Mtg. with DPW
re: TOPICS

Mtg. with DPW
continued

study, which has never been accomplished. The State proceeds, based on comments by the community. Mr. Prette stated that the Town has two options at this point: 1) hire someone ourselves; or 2) ask the District Office to change our priorities to change our State Aid funding (take our Chapter 90 funds and instead of bldg. a road we could put that money into design. We would have to initiate the plea to the State on our own. Mr. Prette stated that the State has difficulty in spending money which is not on the Urban Systems program - the TOPICS money has expired and now we have the Urban Systems money. Mr. Laing stated that if we were to select one of the areas out of our area-wide TOPICS report, and design the project and give it to the State, there is a very good likelihood that it would be built, but if it is not designed the project cannot be worked on by the State. Mr. Laing suggested that a major design be developed in Drum Hill. Any project requested would have to be reviewed by the State's project review committee. Mr. Laing suggested that the Board forward a letter to the Chief Engineer requesting work and inform him how strapped for funds the Town is - he further suggested that if there were any updated reports of accidents in the area in which we are requesting funding, etc. that info. should be forwarded to the State also. We have to make the effort. We have to present a strong case-we should put up the design money, voluntarily, in order to get the money for the construction job. Mr. Laing stated that the State had three hearings, the last one being in Jan. of 1976 - at that time the project was for the preliminary design, but there was a problem as to parking from the Chelmsford Business Association-the last corres. the State had was advising them that Chelmsford had \$13,000 for the design work. Mr. Laing informed the communities that when the design monies were gone, the State still had construction monies - some communities took advantage of this. Mr. Currier informed Mr. Laing that since the original discussions re: Central Square, a lot has happened - new businesses, new parking lot, etc. Mr. Laing stated that when a job is ready for advertising, that is when the funds are delivered. Mr. Lovering stated that we can forward to the State all the updated info. re: Central Square, plans, etc. On 10/25/77 the State was optimistic as they had talked to Storch who informed the State that if there were no problems, the project could be advertised in 1979. Mr. Laing stated that the Board should pick out one high priority project and submit same to the State. We should contact NMAC and request that certain roadways in Town be designated as urban roadways, under the Urban Systems program. Mr. Currier suggested that we contact our engineer and NMAC regarding this subject. Mr. Murphy stated that he feels that if the State sees that the Town is not following the correct patterns, we should be so informed. Mr. Laing stated that someone in the Town should have received a copy of latest publication indicating State & Federal funding available to cities & towns. Mr. Murphy suggested that the Town forward the State a statement on where we are going re: Central Square.

The 8:15 mtg. with Robert Houde re: Earn It Program has been re-scheduled for 2/21.

Mtg. re: Fiske
House Inc.,
Manager's
experience

At 8:45 PM a mtg. was held with James Geary, Esquire, Rosario Turco, Wesley Owen, and Paul Kilian re: letter received from Gene Brown of the Blue Strawberry concerning experience and background of Wesley Owen, Manager of the Fiske House, Inc. Mr. Shanahan, in accordance with his April 26 point of privilege, abstained from discussions and vote regarding this liquor license. Mr. Geary stated that the Bd. is in receipt of Mr. Owen's background, outlined in the form of a resume; a press release issued to the Lowell Sun in Dec., 1977; and a copy of a letter from Mr. Owen to Mr. Edward Krasnecki, Editor of the Chelmsford Newsweekly, to clarify some of the comments in Mr. Brown's letter, dated Jan. 11, 1978, which the Board of Selectmen discussed at their Jan. 30 meeting. Mr. Murphy stated that at the hearing held at the South Row School, he asked a question re: Mr. Owen's background, and the answers he received then (that Mr. Owen had a year's experience at the Blue Strawberry and had been in the restaurant business for some 7 years) and based on the letter from the Blue Strawberry, there were some discrepancies. Mr. Murphy stated that traditionally, when people sum up their experience, they do not include part-time jobs they worked ^{on} in junior high school-they tend to include only full-time employment, usually after graduation from school. Mr. Geary stated that he has no

recollection of making any such statement (that Mr. Owen had a year's experience at the Blue Strawberry and 7 years experience) and he researched the minutes of the Sel. Mtg. at which time the hearing was held, and he cannot find any such statement-he told the Bd. at the hearing that Mr. Owen had worked for the Blue Strawberry and had some experience in Memphis, Tenn., in a managerial capacity. Mr. Geary stated that he thought that the purpose for the request from the Board for the resume was due to the fact that the Bd. wanted more info. on Mr. Owen's total background. Mr. Murphy stated that the resume does verify that Mr. Owen had seven years' experience, if you count junior high-school, part-time jobs, etc. Mr. Lovering stated that he felt that the original presentation dealt with a man with expertise in the restaurant business, and the letter from the Blue Strawberry (Jan. 11) is not consistent with the presentation. Mr. Lovering asked Mr. Turco what type of a selection process he pursued in terms of considering qualified applicants - Mr. Turco stated that he sought the help of Atty. Paul Kilian and Atty. James Geary. Mr. Lovering then asked Mr. Turco how he selected Mr. Owen for the job - Mr. Turco said that Mr. Owen was referred to him by a friend of Mr. Turco, and Mr. Turco then contacted Mr. Owen and felt that he was capable of such an undertaking. Mr. Lovering stated that the latest 'difference of opinion' is not the only inconsistency - there are others, which up until now have not been of great concern. Atty. Kilian stated that as far as he is concerned, the letter sent by the Blue Strawberry was 'libel' and 'it was a cheap shot of publicity for the Blue Strawberry.' Atty. Kilian stated that he is totally satisfied with the work Mr. Owen has done for the Fiske House, Inc., to date. Atty. Kilian stated that his client has invested a lot of money, and this is a very serious venture - his client does not wish to invest money with someone who does not know what he is doing. Mr. Murphy stated that the Board put the stipulations into effect based on the presentation-the Board is holding the Fiske House, Inc. to its presentation. Mr. Murphy stated that the presentation was that the bar area in the basement would be only for patrons awaiting a table for dinner - it is not consistent to have a 96-seat restaurant with a 60-seat holding area. Mr. Lovering stated that he was advised by the owner of the building that Mr. Owen was in fact, the consultant who set up the menu at the Blue Strawberry--based upon the evidence, Mr. Owen certainly may have worked there, but he did not set up the original menu at the Blue Strawberry; in addition, when Mr. Owen presented his proposal to the people at All Saints, he made a point that the basement area would not be a bar facility, yet the drawings presented to us clearly had the bar in them, and we removed same with one of our restrictions. Mr. Lovering also stated that the original billing of the restaurant was gourmet; also, when we asked specifically at the hearing whether or not Mr. Dan Turco, Rosario Turco's son, had anything to do with this company, the answer was 'no,' yet, when this restaurant was first discussed with the Chelmsford Board of Health, the individual who approached the Chelms. BOH regarding this restaurant was not Rosario Turco, not Atty. Geary or Atty. Kilian, Mr. Lovering has learned that Mr. Dan Turco approached the BOH re: septic system at the Fiske House. Mr. Lovering asked since Mr. Dan Turco was involved in the application process to that extent, is he, in fact, involved in any way in the application. Mr. Lovering feels that there are inconsistencies here which he feels he should address. Mr. Lovering further stated that he had just recently learned of this information, and had he known about it during the initial hearing, he would have asked questions regarding same. Atty. Geary stated that to the best of his knowledge, he and Mr. Owen were the first parties to contact the Board of Health on behalf of the Fiske House, Inc. Atty. Geary further stated that the only person with any financial interest in the project is Rosario Turco. A Chelmsford resident has been contacted to serve as the Chef for the Fiske House, Inc., through the efforts of Mr. Owen. Mr. Murphy stated that his previous opinion has not changed in terms of discrepancies re: presentations. On a motion by Mr. Murphy, seconded by Mr. Hart, it was voted three in favor, one opposed-Mr. Lovering, one abstention-Mr. Shanahan, to release the hold on the approval of the Fiske House, Inc. license to the ABCC.

Mtg. re: experience of Fiske House, Inc. Manager continued

Mtg. with
Civil Defense
Director re:
State of Em-
ergency &
Feb. 6 bliz-
zard

The Board met with Mr. Walter Hedlund, Civil Defense Director for the Town of Chelmsford, to discuss status of the blizzard and clean-up of the Town after same. A rep. of the Corps of Army Engineers was in Town this afternoon and he has consented to take on the financial responsibility dealing with snow removal as of Friday, Feb. 10 at 6PM. The Board agreed to forward letters of thanks to the following persons for their efforts during this most difficult time: members of the Highway Dept. and their families; Highway Supt. Louis Rondeau; John Fantozzi, Foreman; Arthur Dulkie; Walter Hedlund and members of the Civil Defense group, as well as Joseph Stavely and the Auxiliary Police under Sgt. Walter Edwards; Chief Robert Germann and members of the Police Dept, especially Thomas Niemaczyk and Edward Rooney, who served as mechanics during the brunt of the storm on Feb. 6 to repair vehicles; the Army Corps of Engineers; and the Administrative Assistant, Mrs. Evelyn M. Haines who answered the phones during the storm. Mr. Lovering suggested that if any citizens feel that they could offer suggestions to the Selectmen re: complaints which could be constructively used in the event that we ever encounter storms of this nature again, they should forward them to the Sel. Office, in order that we might improve situations such as these in the future, and we could share same with the Dept. Heads involved in such a situation. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to lift the State of Emergency in the Town of Chelmsford, effective immediately.

Unfin. Bus.
continued

The Board agreed to hold on the Public Buildings Budget approval. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve RecComm budget request for \$119,342 - the East School budget will be addressed on 2/21/78. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget request for the Registrars Dept. in the amount of \$20,240. The Bd. agreed to request the Bd. of Registrars to bid the computer time prior to Town Meeting - the budget amount is contingent until we receive the costs associated with the computer bids. Re: Selectmen's Dept. budget - the Board agreed to remove the CETA Coord. & Special Projects Asst. from the budget (Salaries) - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the Sel. Dept. budget in the amount of \$56,588. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve Unclassified Depts. budget in the amount of \$191,813, which has increased approx. \$95,000 due to unemployment benefits which we must be involved with this year. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve Veterans' Benefits budget in the amount of \$93,350.

Mr. Currier stated that to date, the Board has not received any info. from the School Comm. re: turning over of the McFarlin School to the Town. Input has been received from both the Spec. Projects Asst. and Energy Coord. regarding take-over of this bldg. It was agreed that Mr. Ramsay and the Adm. Asst. should work on the project to develop a report for the Board, including sketches, drawings, and all other pertinent information re: take-over of the McFarlin School, which the Board could review prior to another mtg. with Mr. Ramsay. The A bldg. could satisfy needs of the Town Hall, but the B bldg. has not been discussed to date. Mr. Murphy noted that when the McFarlin closes, the lunch program for the elderly will not be feasible - the MVHome Care should consider if they could run that lunch program in that facility - keeping the bldg. open through Fed. funds. We will ask NVTSHS to forward us with their reports as to why it would not be possible for Nashoba to utilize classroom space at the McFarlin School - we should have these answers back before the mtg. is scheduled. Mr. Shanahan suggested that a mtg. be held with the Dept. Heads to receive their input on a proposed move to the McFarlin School - Mr. Lovering stated that he felt that Mr. Ramsay had contacted the Dept. Heads when he initially studied the matter, i.e., what the Dept. Heads would need for their offices, how they feel about a move, etc. The Board agreed to set up a mtg. with Mr. Ramsay as indicated above and request that he forward all pertinent data to the Board prior to the mtg; also, we will communicate with NVTSHS for info as suggested above; Mr. Ramsay will be asked to address the matter of Dept. Heads he contacted re: move & their input, and as a courtesy, they will be invited to any mtg. dealing with this subject in the near future.

The Bd. discussed the LRTA and whether or not the Board should consider joining same. Mr. Lovering suggested that the Town Acct. and Town Aide and Adm. Asst. meet with reps. of the LRTA re: financial ramifications of joining the LRTA, need to join for the elderly, etc., and come back to the Board with recommendations concerning this matter. We could address this matter within the next few weeks at a mtg. Also, it was suggested that the possibility of the Council on Aging keeping the van they have presently, and purchasing an additional, new van, and costs associated with same should be discussed at that mtg.

Unfinished
Business
continued

Item 4 - corres. from Outdoor Adv. Division - the Bd. agreed to ask the Bldg. Insp. to communicate with this office indicating whether or not the disapprovals on billboards from the OAD had been complied with to date-failing the appeal, the billboards are supposed to be removed.

Corres. Sum.

Item 5 - corres. from Roger Welch, Ins. Adv. Comm. re: employee participation in American Family Life Cancer Insurance Program - Mr. Currier feels that the Bd. was mislead during the presentation made by AFLI - should benefits be available from American Family Life, Blue Cross will deduct their benefits before paying any claims. On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to withdraw the support of the Board on endorsing the AFLI policy and request that they meet with the Board, if they so request, to provide the Bd. with additional information. Mr. Shanahan suggested that in the future, the Board should take the position that with regard to payroll deductions, the employees themselves should initiate requests to the Board, indicating that they have been contacted by a program which they believe is a good program, and request support of the Board regarding same. Also, the Board requested that the AA inform Mr. Welch that due to his resignation last month, he is no longer a member of the IAC.

Item 6 - corres. from Asst. DA Klieman - the Bd. agreed to forward the letter of thanks to the Chelms. Police Dept. to the Chief and forward a letter to the Police evaluator Robert Sheehan.

Item 7 - corres. from T. Corkey, Mid. County Dog Office re: computer program for all the dogs in Mass; leash law updating; etc. Mr. Lovering suggested that the Bd. determine why the State wants to pursue this project of placing all the dogs in the State on a computer. Mr. Murphy noted that the Town Clerk has a dog list computerized-Mr. Murphy feels that a better question to ask would be the reason why the County needs a Dog Officer.

Item 12 - corres. from NMAC re: summary of housing element - the Planning Board received a copy already and Mr. Lovering suggested that this corres. be forwarded to the Chelms. Housing Authority for their remarks.

Item 13 - corres. from DPWSC - Board discussion resulted in the suggestion that the Board await the results of the final report prepared by Mr. O'Connell-the Bd. agreed to invite the DPWSC to a Sel. Mtg. when the final report is received in order that the Bd. can make a commitment regarding same.

Item 15 - Board discussion from Chief R. Germann re: his endorsement of the K-9 Program, Mr. Lovering suggested that before the Bd. takes any action on this, they should wait for the results of Mr. Sheehan's report, which will be available to us at the start of the next FY-the Bd. will have to make a decision as to whether or not they wish to include approx. \$20,000 in the budget as a contingency item. Mr. Lovering suggested that we put a special line item in the budget and dollarize same, and ask Mr. Sheehan, by Town Meeting night, to have some info on same in order that discussions regarding this program can be held at TM.

Item 22 - corres. from VIA re: plowing of VIA parking lot by HD - they do not object if the Town will be responsible for any accidents involved in the plowing. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to cancel our offer to have the HD plow this lot, as the VIA is not very interested in our offer.

Corres. Sum.
continued

Item 23 - corres. from Dr. Rivard re: request for submission of an article in the ATM or the next STM re: request for funds for engineering, legal, & contractual services to furnish and install a drainage system, starting at the rear of the South Row School, terminating in the Rivermeadow Brook. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to accept this corres. and include it in our list of drainage problems and indicate that we will give it priority as we see it developing and we will address it at the appropriate time. Mr. Hart would like to receive more input from the School Dept. as to the type of drainage problem this is, in detail.

Item 24 - corres. from Program Mgr. Comm. Planning & Development re: CD Block Grant Program Project No. B-76-DS-25-0053 - Mr. Currier stated that related to this matter, we have received corres. from Architect at the Sen. Cit. DIC Walter Jones asking that written authorization from the BOS be sent to instruct the contractor to purchase suspended ceiling for Room #4, an alternate price item which was \$500 - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the change order for the ceiling, it is within budget, and approve the \$190 for hardware.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

New Business

Mr. Murphy requested a timely report from Chief Germann re: statistics on crime in the community in order that same may be included in the ATReport.

Mr. Murphy stated that when the Chief presented his budget to the Board, in terms of manning when he talked about the proposed 4/2 work week he provided the Bd. with two pages of info. in terms of supervisory personnel, criminal bureau, and patrols on the street-missing from that report is how many cruisers (1 or 2 man) are going to be on at the various times - the Bd. will request the Chief to add that info. Mr. Murphy has developed a graph of the above which will be forwarded to the Chief for his comments.

Mr. Murphy stated that this Bd. is not in receipt of the box score from the MSA or MLC&T, however, the Lowell Sun provided coverage of same. The Bd. agreed to forward a letter of congratulations to Rep. Bruce Freeman on his excellent record. In reaction to some of the comments by the area reps., Mr. Murphy stated that in his opinion the view of the Association is not different from the Towns; Mr. Murphy further stated that when the issue re: final & binding arbitration came to the first vote the communities wanted it overridden and they were not supported by the reps; the compromise bill was in no way a tribute to the reps. by no roll at all in the Associations Petition Drive - the vote on over-riding the Governor's vote is a critical one and should have been counted.

Mr. Murphy stated that with regard to the Pine Needle Soucy Bldg. Permit, in looking at the zoning map, the area in question is an RB district and the side-yard requirements are 25ft. on either side - unless you have a variance. The side-yards of the property in question are only 16.6 ft., and Mr. Murphy would like the BI to address the question as to how the permit could be issued with insufficient side-yards and no variance at this location.

Mr. Lovering stated that from time to time we hear rumors that the Chelms. Welfare Office is closing, which he is not in favor of as it would cause hardship on many Town residents. The Bd. agreed to ask Myles Mahoney of the Regional Office in Boston to meet with us and discuss this subject, particularly in view of the proposed viability of the McFarlin School.

Mr. Currier addressed two items which were brought up at the open session this evening from 7-7:30PM - 1) Mr. Edward Latourneau, Carlisle St. requested that the

Bd. request the BI to inform him that his wood-burning stove has or has not passed inspection - we will request a copy of the inspection info. and forward a copy of same to Mr. Latourneau-we will communicate by tel. on Feb.14 and ask the BI if there is any reason why he had not approved same to date.

After mtg. with Mr. Tucker re: Elks Government Day, the Bd. discussed Youth Government Day which the Elks are sponsoring on May 5, 1978. Youths will serve as members of the Board of Selectmen, Planning Board, Board of Health, FinComm, School Comm, Supt. of Schools, Town Clerk, Tax Collector, Police Chief and Fire Chief. Mr. Murphy volunteered to work with Mr. Tucker to coordinate the program. Also, a CPR program is being financially sponsored by the Chelmsford Elks for Chelmsford High School Students and hopefully will be made available to the entire Town.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:25 PM. Mtg. adjourned

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen held February 21, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan and Mr. Hart. Mr. Love-ring was out of Town on business. Mr. Currier, Chairman, called the meeting to order at 7:30 PM. Mrs. Haines, Adm. Asst. was also present. Members Present

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Sel. Mtg. held Feb. 13, 1978. Minutes Adopted

Mr. Currier reported that this week he contacted DPW Commissioner Carroll's office and spoke with Mr. Donahue, Asst. Cmsnr. and discussed the meeting held last week with Mr. Laing and Mr. Prette re: Topics & Urban Systems Programs. Mr. Donohue will confirm, in writing, the fact that the Central Square project is on the bid list to be advertised and the State is holding \$250,000 earmarked for the Central Sq. project - Cmsnr. Carroll's office was aware of the project and the delays; however the District Office, represented by Mr. Laing and Mr. Prette, was not aware of the project as Storch Engineers had gone directly to Head Quarters. The DPW apologized for the breakdown in communications. Board Reports

The AA informed the Board that Kathy Robinson, Town Aide, is on the Personnel Bd. at Community Teamwork and has asked for some input from the Board re: salary increases for CTI personnel. She asked Mrs. Haines to obtain for her the Board's position on raises for CTI personnel prior to the mtg. regarding same scheduled for Feb. 23 - cost of living or merit raises. Mr. Murphy suggested that the AA request the Town Aide to obtain for the Board's review the present salary schedule for CTI, then the Bd. can comment on same. Adm. Asst. Reports

The AA informed the Bd. that today at 2PM the Purchasing Agent and she opened one bid for the printing of ballots. The specimen ballots must be available to the public by March 3, and there would not be sufficient time to rebid this item, in view of this, the single bid was opened. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to award bid for the printing of ballots to Picken Printing in the amount of \$867. Bid Award-Ballots

The AA reminded the Bd. that a mtg. has been scheduled with the FinComm & Personnel Board on Feb. 23 at 8PM - Mr. Shanahan informed the Bd. that he will not be able to attend this mtg. AA Reports continued

The AA informed Mr. Murphy that she will contact the Telephone Company's rep. re: 911 Study Comm. mtg. this week.

Mr. Murphy moved the nomination of Sel. Shanahan as the Board's rep. on the IDFA-Mr. Shanahan was unan. appointed. Sel. Shanahan indicated that there would not be a Conflict of Interest for him to serve in this capacity. Unfin. Bus.

Mr. Murphy reported that an interested citizen would like to serve as the Bd's. rep. on the NMAC 208 Waste Water Study Committee. Mr. Murphy nominated John Arnold, 13 Dennison Road - he was unan. appd. by the Board. He will attend the mtgs. and make sure that the minutes are available to the BOS and will, from time to time, ask the Board's input on matters regarding 208 WWC.

The Bd. had received input from Chief Reid indicating that he did not feel that it would be in the best interests of the Town to expend some \$6,000-\$7,000 on the "Jaws of Life" mechanism, as the City of Lowell's is available to the Town on a minutes' notice - therefore, the Board did not amend the Fire Dept. budget which they voted last week, contingent upon the Chief's response re: Jaws of Life. Re: Hydrant Services budget, the Board is in receipt of a request from the four water districts which to date, is unsubstantiated as to why they are requesting an increase - the AA informed Mr. Murphy that there is a charge of \$42 per hydrant and this increase is probably due to the fact that the number of hydrants has increased. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward the budget to the FinComm and ask that each Water Dist. supply the BOS & FinComm with the justification for the increase.

The Bd. agreed to hold on the Hghy. Dept. budget pending mtg. with L. Rondeau. In the Police Dept. budget, the School Traffic Officers will be removed from the PD budget and placed in the School Dept. budget in order that unemp. comp. monies will be saved in the summer - there is a \$15,000 reduction in court costs - the Chief provided the Bd. with a one-page memo re: radar - on the basis of his report, the Board could not support purchase of new radar equipment. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the Police Dept. budget as modified in the amount of \$1,135,148.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the East School (Rec. Dept.) budget in the amount of \$9,188, by deletion of two custodians in the event the CETA Program Custodians are terminated.

Corres.
Summary

Item 7 - corres. from Dennis Pendergast re: pothole damage - the Bd. agreed to inform Mr. Pendergast that no fund exists to reimburse residents for payment of damages caused by potholes - we will refer same to Town Counsel.

Item 10 - corres. from L. Rondeau re: complaints re: water on Turnpike & Fairbanks Rds - water run-off caused by same in the Fairbanks Road area - there is a Town bylaw which states that it is against the law to deposit water in the public way - we should ask the residents to block their pipes or stop pumping - they should not be allowed to cause a serious problem for the rest of the residents. The Bd. agreed to ask the Police Dept. to patrol the area and inform the residents who have water flowing from their property that this is a violation of the bylaw - we will await the Police Dept's. report.

Item 16 - corres. from the MLC&T & MSA dues - Mr. Shanahan noted that we have already approved the amounts for dues.

Item 23 - corres. from RecComm re: condition of roof at East School - the Bd. will request the BI to investigate the condition of the roof and so inform the Bd. of his findings.

Item 26 - corres. from Chief Germann re: giving \$4,331.25 sick days to the widow of Officer John Campbell which Officer Campbell had accumulated (82½ sick days at \$52.50 per day) - after Board discussion, on a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted to have the Personnel Board or Town Acct. verify the fact that this is allowable under the bylaws, and we can take action on it within the next two weeks.

Item 27 - corres. from J. Beddoe, Curriculum Center re: Festival Day - the AA will contact Ms. Beddoe re: BOS being available in terms of a booth or table to discuss community-related matters, i.e. recycling, etc.

Item 35 - corres. from CETA re: vacation policy for CETA employees - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward this correspondence to the Personnel Board for their review.

Item 41 - corres. from the FinComm recommending bid award for the FinComm Report & Recommendation to Picken Printing - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to hold on any action regarding this bid award, pending results of our mtg. with the FinComm this Thursday, at which time this can be discussed and the Bd. can address same at the next Sel. Mtg. in public. The FinComm recommendation was to award to Picken Printing, who was not the low bidder.

Item 46 - corres. from Elizabeth Marshall, LWV re: committees and Sel. Appt. Procedures - under Board discussion, on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the LWV that we are still following our appt. procedures, however, at this time, we do not have many applications on file for committees-the Bd. feels that the LWV proposal re: articles in the local newspaper is a good idea.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum. as amended, and to include same in the minutes of the meeting by reference.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim March as Chelmsford Scholarship Fund Month.

Proclamation

Mr. Murphy was advised by the AA that discussion re: fines will appear on the agenda for next week's mtg. The Bd. will hold on discussion re: fines pending receipt of an opinion from Town Counsel regarding fire lanes. Mr. Currier suggested that a memo be placed in the STM file re: fire lanes.

New Business

Mr. Murphy noted that there is info. in the signature folder re: Data Processing Committee Report - Mr. Murphy requested that this be placed on the agenda for the next mtg. so that we can communicate back to the Comm. our official answer. Mr. Murphy will contact members of the committee regarding this matter.

Mr. Murphy suggested that the AA or Town Planner attend a two-day seminar on grantsmanship at Suffolk University - the AA will research to determine whether or not CETA will pay for the cost of the seminar (\$175) for the Town Planner.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to correspond with the MC Cmsnrs. re: dates or timetables, etc. as to when and if the Task Force on the future use of the Training School will organize-Mr. Shanahan has been a member of the Task Force for some four months, however, no mtgs. have been held to date.

At 8:05 PM the Board recessed until 8:15 PM. At this point in time, Mr. Currier announced that he is a candidate for re-election to the Board of Selectmen. He provided the Press with copies of his announcement. A mtg. was held with Robert Houde of the Earn It Program, and Ken Martin informed the Bd. of a new service in Town available to residents dealing with restitution to victims of crimes (housebreaking, malicious damage, etc.) by which the offenders, 15-17 years of age, can obtain employment for the purpose of paying restitution to the offended parties. The program is conducted in conjunction with the CETA Program, and staff persons are from the Dept. Youth Services, one is responsible for mtg. with victims, another works with the Court officer, etc. They hope to be able to service 60 victims this year. They try to convince the victims to become involved in the program. They must ask the Judge to allow the youth to become involved in the program. The name of this program is the Lowell Restitution Program, and Mr. Martin provided the Bd. with copies of a pamphlet dealing with the program. They have served 3 cases in Town to date. Part of the CETA grant provides the employment for the youths. The program is sponsored by

Mr. Currier announced bid for re-election to BOS

Mtg. with R. Houde re: Earn-It Program & K. Martin re: Lowell Restitution Program

Mtg. re: Earn-
It & Lowell
Rest. Programs
continued

Justice Resource Institute of Boston. Mr. Martin stated that the Town of Chelmsford can come forward as a victim, the victim does not necessarily have to be a homeowner or an individual-the Town can act as the victim. Each time the Town investigates, apprehends and prosecutes a juvenile (15-17 years of age) we can submit an itemized bill to the Lowell Rest. Program asking the court that the particular juvenile offender, in question, be put to work in the program and 2/3 of his income can be sent back to the Town of Chelmsford to defray costs of judicial administration in that case. The Bd. then met with Robert Houde and John Dyers, associated with the Earn-It Program - the program was developed in conjunction with the Chamber of Commerce and the Lowell Diversion Program and deals with first-time offenders who are involved in vandalism. The Program tries to compensate the victim and restore the juvenile back to society without the stigma of a court record. The juvenile is referred to the program through the probation officer or judge. The youths involved are in the 14-24 age bracket-the program is being promoted to towns and cities in the CETA consortium and is being presented to Boards of Selectmen and businesses-who will provide jobs for the youths. The Bd. suggested that Mr. Houde contact the Chelmsford Business Association to present the program to that organization. Mr. Shanahan stated that he is concerned about the number of juveniles in the Town of Chelmsford who have not committed a crime, and who cannot find work - and the individuals committing crimes might be guaranteed employment. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to communicate with our Police Dept. and ask that they inquire as to the proper procedural steps for the Town of Chelmsford to, in each and every case in which we may be eligible, apply for restitution from juvenile offenders with regard to costs of police administration, under the Lowell Restitution Program, and the Earn-It Program, if possible.

Mtg. re:
Scout House
Lease

The Board met with Meredith Thompson, et al, re: Chelmsford Scout House Lease. The lease was expired in January and in the past year there have been no complaints from residents. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to extend the lease for the Chelmsford Scout House, Inc. for another year under the same conditions as were set for the previous year.

Mtg. with
plowers not
held

The 8:45 mtg. with William Jones, et al, re: snow plowing rates was not held as Mr. Jones and the other plowers were not present for the mtg.

Adjourn to
Exec. Session

On a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to adjourn the meeting at 8:53 PM; however, Mr. Currier informed the Board that the Bd. is in receipt of two grievances from the Police Dept. which the Bd. should discuss in Exec. Session. Mr. Murphy moved reconsideration of Mr. Hart's vote, and on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Executive Session at 8:55 PM for the purpose of discussing two grievances submitted by the Police Dept. ^{under the terms of the contract.} Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Hart-Aye; Mr. Currier-Aye.

Meeting
Adjourned

The Board reconvened to the Open Meeting at 9:10 PM. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting at 9:11 PM.

For the Board of Selectmen, by

Bonita Tawle

Jurors
Drawn

Jurors drawn on Feb. 24 by Sel. Arnold Lovering were as follows: For Lowell: Normand Morrisette, 11 Stoneybrook Road; Wm. F. Donahue, Jr., 8 Julio St; for Cambridge: Arland Atkins, 171 Mill Road; Barbara Broe, 14 Singlefoot Road; Harlan P. Kelly, 10 Hildreth Street; Eric C. Foster, 13 Manwell Road.

Members
Present

Regular Meeting of the Chelmsford Board of Selectmen held February 27, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering; and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

Minutes
Adopted

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Regular and Executive Sessions held Feb. 21, 1978.

Mr. Murphy reported on the mtg. held with the FinComm & Personnel Board on Feb. 23, at which he and Mrs. Haines were the only representatives of the BOS present. Mr. Murphy said that he was placed in an awkward position, as the opinions which he presented to the Fin Comm & Pers.Bd. were his own, and he was not certain as to whether or not he should have presented the Board's opinion; he asked that in the future, when Board members cannot attend meetings, they should notify him or the AA; and when less than the full Board will be present, they should provide their input before mtgs. are held. He also expounded on the AA's written notes on the meeting re: merit rating system and guidelines for salary changes, and classifications. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to go on record with the Personnel Board that the Selectmen are in favor of the Pers.Bd. proposal for salary program for the personnel under their direction; and inform the Pers.Bd. that the Selectmen feel that the AA's classification should be changed to be raised one level.

Mr. Shanahan informed the Bd. that a mtg. has been set up for the Task Force re: future use of the MCTS - mtg. is March 9 at the Reid Cottage on the Training School premises at noon.

Mr. Lovering informed the Bd. that we have received input from two firms re: ability to buy & pick up the recycling material in Chelmsford. One of the firms is offering more revenue to Chelmsford. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize Mr. Lovering to negotiate with the high bidder to develop a proposal for a one-year agreement to include basic terms re: pick up, payment, etc., which the BOS will eventually approve & sign.

Mr. Lovering informed the Board that the Recycling Trucks are in the greater-Lowell area at present and certain problems exist re: steps and hand-holds. Mr. Maher, PA has been asked by Mr. Lovering to review the specs. for the trucks and meet with Mr. Rondeau and get back to the BOS with some type of recommendations to solve the problems.

Mr. Lovering informed the Bd. that bids were opened today for printing of the Recycling Brochures - to satisfy statutory requirements we asked for written quotes from suppliers; we received a no-quote from one firm and two other bids - from Northease Offset & Picken Printing. Picken Printing is the low bidder, and the bid is slightly higher than the amount we approved - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to authorize Mr. Lovering to attempt to negotiate with Picken Printing to bring down the price to fit within our budget, and if this can be done, the bid will be awarded to Picken Printing.

The AA informed the Bd. that this week we have been trying to compile info. requested by the State for reimbursement and we have discovered that the contractors do not bill the Hghy. Dept. for snow removal-they are completed by the Hghy. Office and are submitted on a voucher - the AA recommended that the BOS notify the Hghy. Supt. that as a matter of policy, re: removal of snow from streets, all contractors should submit invoices for payment. Mr. Hart stated that when the State handles these types of matters, the State itself handles preparation of invoices. Mr. Lovering asked if we have anything in writing from the vehicles we employ for snow removal indicating that they are insured-the AA informed him that not to her knowledge do we have anything in writing. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask the Hghy. Supt. to investigate this-they should receive a certificate of insurance; and ask the Hghy. Supt. to develop a procedure for certification of vehicle (photocopy of registration, etc.) - if the State system is acceptable to Mr. Rondeau, the Bd. will accept same re: bills from contractors. Mr. Lovering was concerned re: weight of vehicles & certification for same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to direct the Hghy. Supt. to request bills, in the future, from contractors for services performed in the area of snow removal, if he feels that this suggestion has merit.

The AA informed the Board that the total reimbursement for the Feb. 6 & 7 blizzard is \$19,029.80 - out of the approx. \$69,000.

The AA informed the Bd. that last week she received a complaint re: Route 3 Cinema raising its price from \$1.50 to \$2.50 between the hours of 2 & 3 PM - as last week was the School vacation, many children were waiting to get into the theatre and only had the \$1.50. While investigating this matter, the AA learned that the Cinema now has six (6) screens and they are only licensed for 4. The AA called Mr. Zanchi, Manager, and he informed her that the theatre was not added on to, or enlarged - walls were moved to increase space for the additional two theatres within the present structure. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the Manager for info. re: pricing of admission into the theatres; and ask the Manager to attend a Sel. Mtg. in the near future to discuss the two additional theatres and his request for same, which was received in the Sel. Office on this date as a result of request by the AA on Feb. 24. Mr. Currier stated that the traffic situation in this area has been a problem and he would like to discuss this with the Manager at the mtg., as well as seating and proper licenses.

The AA informed the Bd. that the Hghy. Dept. budget has not been approved by the Bd. to date - the Bd. agreed to hold a Work Session on Thursday, March 2 in the Sel. Mtg. Room with the Hghy. Supt. to discuss the Snow & Ice Account - Mr. Currier informed the AA that he cannot attend this work session - Mr. Shanahan, Mr. Lovering, Mr. Hart and Mr. Murphy are available to attend the work session as of this evening. Mr. Shanahan requested that if any Bd. member cannot attend, he should provide comments for input at this work session.

The AA informed the Bd. that they have not taken action on the two submissions received for the 1977 Annual Town Report cover. Mr. Lovering stated that he feels that neither of the submissions are proper for the cover of the report. Mr. Lovering suggested that Mrs. Haines and Miss Towle try to obtain some photos of the May 9, 1977 storm or other photos which could be used as a Town Report Cover and leave same in the Signature Folder for the Board to review on March 2. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was voted four in favor, one opposed - Mr. Hart, to announce that the entries received to date are not appropriate for a cover of town report and the BOS will not award the prize this year.

Unfinished
Business

The AA informed the Board that under appts. to the Ins. Adv. Comm., we have no applications for appointment on file. Mr. Murphy stated that he would like to contact an individual in Town who could provide the services (investigating high insurance rates for the Town) for the Town - Mr. Murphy informed the FinComm at the Work Session held Feb. 23 that he will look into this and get back to them with a ballpark figure for a consultant. Mr. Shanahan stated that he has been contacted by individuals re: contacting some of the area communities re: people from our community donating their time to another community and exchanging their expertise from town to town. Mr. Hart felt that it would be difficult to get residents to donate their time for working for another community - Mr. Hart feels that it may be wise to have a professional consultant for this type of work - or a licensed insurance advisor. This item will be placed on the March 6 agenda for discussion.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Thomas Fleury, 17 B Street, to a CETA position as a laborer in the Hgy. Dept. at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Anita Viau, Chestnut Hill Road, to a CETA position in the Youth Center as a Resource Worker at the specified salary.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve budget for Public Bldgs. in the amount of \$39,451.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt Street Lighting budget in the amount of \$85,000. Mr. Shanahan suggested that the AA review the street light requests and place same in some type of priority.

Unfinished
Business
continued

The Bd. discussed the report submitted by the Data Processing^{Study} Committee in detail. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the Data Processing Committee that we cannot support their recommendations to hire personnel for the program & obtain hardware - quite a lot of money would be involved in implementing the recommendations. There is no commitment on the part of elected officials to support the program; the salary for the Director (\$27,000) is out of line; the Dept. of Community Affairs is doing a survey of data processing in great detail and we should await the results of this; to put funds in the budget for the program is very premature.

Mr. Harold Witt met with the Board on behalf of the Cable Television Advisory Committee to discuss future of Cable TV in Chelmsford. Mr. Witt stated that they have been contacted re: 3 systems - teleprompter in Worcester and Continental Cable in Lawrence and another firm. Chelmsford is still not a desirable area for Cable TV - the cost is approx. \$14,000 per mile and it must be in a highly dense area to function properly. The CATV Comm. will keep the Board apprised of any new information re: Cable TV in Town. Any questions will have to be answered positively for the program to function in Chelmsford.

Mtg. with
CATV Comm.
re: future

The AA informed the Bd. that she spoke to the Town Acct. re: payment of Officer John Campbell's sick leave (\$4,331.25) and it has been determined that there is no authority to pay his widow, as it can be obtained only upon retirement. To the AA's knowledge, in the past there have been no requests of this nature. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to deny the Chief's request.

Unfinished
Business
continued

At 8:15 PM a mtg. was held with Officers R. Linstad, Pres. of the Police Dept. Union, Mark Burlamachi and John Donovan to discuss bidding of shifts and signing of complaints. Mr. Currier asked the officers if they wished to have the mtg. held in Open Session or Executive Session, as grievances would be discussed. Officer Russell Linstad stated that it could be held in Open Session. Officer Linstad said that with regard to bidding of shifts, there is no money involved - this matter was decided upon in the contract. Officer Linstad stated that the Union wants to bid now, so that the men can make plans for the future. There is an error in the contract which should be corrected - re: men creating their preference prior to Dec. 20; the Chief has 11 days in which to review same and put together a schedule. There is something in the contract which states that the bidding will take place once a year, but no later than Dec. 1, which is not consistent with the Dec. 20 date, this is Section D. With regard to giving the grievance to the Dept. Chief, rather than the Chief, the Bd. feels that in the absence of the Chief the Deputy acts as Chief, therefore, it was proper to give it to the Deputy Chief. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask Chief Germann to review the preferences made, and within one month, come up with a new shift assignment. Re: signing of complaints, Officer Linstad stated that he feels that officers should be allowed to follow up on their arrests right up to conviction, although the prosecutor is a cost savings for the Town by eliminating a lot of overtime for officers. Officer Linstad suggested that we join in with the other five towns to employ two prosecutors. Officer Linstad feels that the officers should be able to follow up on cases on which they work right up to the conviction. Mr. Murphy said that the prosecutor is involved with initial complaints-the officers are still involved with testifying, etc. There is an obligation of the prosecutor to make sure that the witnesses for the Town are well prepared-his duties are administrative. Mr. Shanahan stated that he agrees with some of Officer Linstad's original statements; however, we have left certain funds in this year's budget, in the event that something may go awry with the system and we are forced to return to our previous system, as far as having officers sign complaints, etc. Mr. Shanahan is impressed with Sgt. Edwards' work in the

Mtg. with IBPO
re: bidding of
shifts & sign-
ing of com-
plaints

Mtg. with IBPO
continued

court, and with regard to two examples which Officer Linstad gave, Mr. Shanahan feels that his allegations should be backed up with concrete evidence (damage to Byam School property and manslaughter case). On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to ask Chief Germann and Sgt. Edwards to listen to the tape of this mtg. and provide the BOS with a response to the questions which have been asked. Officer Linstad provided the Bd. with some notes on the union's position re: signing of complaints.

Unfinished
Business
continued

Last week Mr. Murphy had requested a hold on the bid award for the FinComm report & recommendations - the FinComm had recommended that the bid be awarded to Picken Printing, Chelmsford - the low bid was Rene Press, in Fitchburg. The FinComm needs to make changes in the report right up to a moment before the final book is printed, and therefore, they prefer to have the printer's office located nearby. The FinComm is not prepared to provide 'camera ready' work to the printer, and the bid recommendations should indicate that the recommendations should be presented in manuscript form, in hand written material. Next year the bid specs should indicate that for the FinComm report, reports will be submitted in manuscript form. Mr. Lovering stated that he feels that the FinComm wants to be able to do business with a firm which is close by, in putting the book together during the last week, and if this is the case, we should put a memo in the file, and negotiate this in the nature of a service, rather than playing games with words. The FinComm will forward their written response to the Bd., then the Bd. can review same.

Corres. Sum.

Item 10 - corres. from H. Terrien re: recommendations re: hydrants, storm drains, etc. Mr. Lovering feels that Mr. Terrien's suggestions should be placed on file to be completed by a service organization (CETA, Youth Corps). Mr. Murphy stated that to his knowledge, the hydrants are marked-we will ask the Water Supts. about this to see if this is still their practice. Re: storm drains, in the past they were marked in the roadway, perhaps they have worn off-we will ask the Hghy. Supt. if it is time to repaint the storm drain markers.

Item 15 - corres. from Chief Engineer-Division of Waterways to R. Loney re: Crystal Lake - Mr. Hart stated that the CLRC would prefer to wait until Spring to determine whether or not the work on the Lake is completed.

Items 17, 23, 24, 25 from Energy Coordinator Roy Thibault re: recommendations for improving energy consumption at the Fire Stations, Hghy. Dept., Cemetery Dept. and Libraries - the Bd. agreed to request a response from the Departments in question to ask them if the recommendations make sense, and if they would be included in their budgets - we will request these reports within one month's time.

Item 18 - corres. from K. Robinson, Council on Aging, re: van. The Bd. had asked the AA, Council on Aging and Town Acct. to come forward with costs for a new van in their discussions with LRTA. Mr. Shanahan had asked the COA to justify their request for a new van.

Item 25 - corres. from Ina Greenblatt re: Merrimack Valley Independent - on a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to inform the writer to visit the Police Dept. and ask the PD to enforce the bylaw re: delivery of this material in violation of the bylaw - ^{we} will inform the PD that under the law, they are required to enforce this bylaw.

Item 27 - corres. from W. Jones, Architect for SCDIC-we have asked for another extension for completion of work at the Drop-In Center through March 31, due to the storm and delivery of materials.

Item 30 - add to the recommendation re: date of LWV Candidates' Night - regular Selectmen's Meeting will be postponed until March 28, in order that Cand. Night can be held on March 27.

Item 36 - corres. from Blg. Insp. re: wood-burning stoves - Mr. Murphy had contacted Ed Matthews of the State Bldg. Code Comm. re: Mr. McHugh's answer that there is a moratorium on wood-burning stoves until July 1, 1978 - Mr. Matthews informed Mr. Murphy that the local bldg. insps. can use discretion in terms of giving out permits for these types of stoves until July 1, after which time they expect to go back to the labelling requirements for the stoves - there is no moratorium on. The Bd. agreed to invite the BI and Mr. Latourneau to attend the next Sel. Mtg. to discuss this matter in detail. Re: seminars which the BI attended on wood-burning stoves, Mr. Matthews stated that the BI should only have attended one conference on this matter, as the second conference would be a repeat of the first, we will ask Mr. McHugh about these conferences. With regard to Mr. McHugh's response re: Drum Hill sandwich board signs, Mr. Murphy stated that the area in question must be Town-owned land, and he sees no need to wait for the State to take action. Mr. Currier requested that the BI inform the Board of the progress of his report on the sign survey, which is being completed by the Asst. BI, a CETA employee.

Recommendation on Item 37 should be E. Haines, E. Day & L. Rondeau will bring data to Concord - E. Haines has been designated as the Community Rep. re: snow emergency Federal reimbursement, copies of this corres. will be forwarded to the FinComm; Town Acct; Hghy. Dept; and Civil Defense.

Item 38 - corres. from T. Morris, Health Director re: extension under CETA Program for a 3-month period for John Emerson, until warrant re: placing his position in the Board of Health budget as a permanent position, ^{can be addressed at In Mtg.} Mr. Murphy will support the request for extension, however, the Board's position is that the Bd. is not supportive of any new positions. Mr. Murphy moved to support the 3-month extension, and inform residents at Town Meeting that the BOS are not supportive of this position, consistent with their policy - Mr. Shanahan seconded this motion for the purpose of discussion. Mr. Currier stated that at Town Mtg. there may be some facts presented which would warrant this position - Mr. Shanahan stated that he could support the first part of Mr. Murphy's motion, but he cannot make a decision on the permanent position, or support the concept of no new hires, until after he hears the presentation at Town Meeting. Vote on Mr. Murphy's motion was as follows, two in favor, Mr. Murphy & Mr. Shanahan, three opposed - Mr. Currier, Mr. Lovering and Mr. Hart - motion failed. Mr. Murphy requested that additional information be received from the Board of Health to substantiate this position. Mr. Shanahan stated that his vote should not be construed as endorsement of the Board's earlier policy re: new hires. Mr. Lovering stated that his vote against Mr. Murphy's motion was not necessarily an endorsement of this position, and the Bd. will take a position at Town Meeting on this matter, as they have in the past.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Summary, as amended, and to include same in the minutes of the meeting by reference.

Mr. Murphy informed the Bd. that the latest copy of the Beacon indicates that there will be testimony given at a Joint Legis. Mtg. of the Municipal Associations on March 11 by a committee of the Legislature in regards to mandated costs - they ask that the community review specific impacts of various mandated programs so that each community can provide testimony to the committee, who will meet in 3 panels. The Bd. agreed to ask the Town Acct. to provide us with some figures of the mandated programs (766 etc.) on the Town of Chelmsford, in time for the hearing. Mr. Murphy informed the Board that he would like to have the Legis. Package in terms of local aid placed on the March 6 agenda, in order that the Bd. can take a position on same. The MLC&T has done research on automated Labor Rel. services developing a number of municipal indexes in terms of ability to pay - this data should be evaluated in terms of potential savings to us - Mr. Murphy suggested that this info. be placed ^{the signature} in a file in order that the Bd. can comment on same and make it available to our Labor Rel. Advrsrs.

New Business

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request the Hghy. Supt. and Paul Bienvenu to forward the Bd. some recommendations re: State Aid for Local Highways booklet, on the Town's request for grants under certain programs which we should pursue for engineering.

Last year the Bd. supported recording devices for the cruisers, re: fuel consumption, etc. The Bd. will request a report from the Chief on the output of the recording devices on the effectiveness of the devices.

Mr. Murphy stated that for some time, we have been waiting for the State to perform some needed repairs on the Rail Road Tracks in the community - to date, nothing has been done. The Bd. agreed to request the Hghy. Supt. to make temporary repairs to the paved surface of the tracks in Central Square - we will ask him to look into this asap.

Mr. Murphy commented that there appear to be some safety hazards in the community as a result of melting snow from the Feb. 6 blizzard - we will ask the Hghy. Supt. to inform us if any steps to correct these safety hazards (Westford St. at North Road-poor visibility) during the normal work day.

Re: conditions on Westford Street, Mr. Murphy asked that the Hghy. Supt. evaluate need to re-surface Westford Street, as there are many potholes on the street.

Re: Veterans' Agent, Mr. Murphy informed the Bd. that the Town of Westford has recently lost their part-time Vet. Agent-they then hired a Town Aide whose case-load has increased sizeably, who would like to be the Vet. Agent. The Bd. agreed to ask the Westford Bd. of Sel. in writing, if they would support a consortium from which both Towns could benefit.

Mr. Murphy gave each Bd. member copies of the 5-year plan and he requested that the Bd. provide him with their input.

Mr. Lovering informed the Bd. that he is concerned that to date, we have not received a report from the Bldg. Insp. on an alleged zoning violation at 30 School Street by Mr. Charles Humphrey, staging trucks in front of his home in the early morning hours. Mr. Lovering has determined that Mr. Humphrey plowed for the Town during the past Feb. 6 blizzard and received \$774.90 for his services from the Town of Chelmsford. Mr. Lovering moved that the Board ask the Hghy. Supt. not to hire Mr. Humphrey for further plowing for the Town, until the BI has determined whether or not there is a zoning problem at 30 School Street. Mr. Shanahan felt that the Bd. has no right to take this action until we are certain that Mr. Humphrey has been notified of the alleged zoning violation. Mr. Currier stated that during the past few weeks, he has been concerned about Board requests of the Bldg. Insp. and comments when certain reports are not received back in this office in a timely fashion-Mr. Currier stated that the Board makes decisions on Monday evenings and they expect an answer on their memos for the following meeting-in some cases, the corres. to the BI does not get forwarded to the BI from our office until the end of the week, and often times, he does not have sufficient time to provide the Bd. with a response ^{for} in their next meeting. Mr. Murphy stated that his concerns are with 3-4 week delays in responses from the BI. Mr. Shanahan stated that he is trying to protect a citizen's right, and he does not appreciate Mr. Lovering's reference re: making excuses for the BI week after week. Mr. Lovering stated that his comments were not aimed at any one member of the BOS, they were collective. Mr. Lovering stated that his concern with the BI is in terms of performance. The vote on Mr. Lovering's motion was two in favor, Mr. Lovering and Mr. Murphy; three opposed-Mr. Currier, Mr. Shanahan and Mr. Hart-motion failed. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to ask the BI, by priority corres., to forward the Bd. with a written report prior to March 6 on the alleged zoning violation at 30 School Street being operated by Mr. Humphrey-should his answer be in the affirmative, we will then ask the Hghy. Supt. not to employ Mr. Charles Humphrey for future plowing for the Town.

The Board agreed to ask the Hgy. Supt. if there is supposed to be a "Stop" sign behind the Adams Library on Boston Road, as Mr. Currier has noticed that there is not one there at present.

The Wiring Inspector suggested to Mr. Currier that the CETA Clerk in his office who will be terminated, be allowed to overlap her employment for a day or two, in order that she may train her replacement. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to allow all CETA Clerks an overlap of a week or less to train their replacements.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:00 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held March 6, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:35 PM.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held February 27, 1978.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to proclaim the week of March 12 through March 18 as Girl Scout Week in the Town of Chelmsford.

Mr. Murphy moved the nomination of Dr. Martin Gruber, DVM, as Inspector of Animals. Dr. Gruber was unan. appointed as Animal Inspector by the Board.

The Board held on discussion re: Insurance Consultant - this will be placed on the March 13 Agenda for discussion.

Mr. Murphy, as the Board's Legislative Agent, informed the Board of the status of the Legislative Package. About one month ago, we presented a rough draft of the package to our Senator and Reps. - the general feeling at that time was that they would have no problem in supporting it. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to go on record in support of the State & Federal Revenue Sharing Bill filed by the associations, which would give communities in the State 50% share of any increase in State revenues received from present sales for income tax - it was further voted to support the bills contained within the Legis. Pkg. and send a copy of each to our Reps. and Sen. requesting that they respond to us within one month with their disposition on same for the Board's review.

The Board agreed to hold until 3/13 on discussion re: Capital Improvements Plan. Mr. Murphy has some questions to ask of the Town Acct. regarding same and he is awaiting further Board input on same.

On this date the Bd. received a report from the Bldg. Insp. re: alleged zoning violation on School Street by Mr. Charles Humphrey - the Bldg. Insp. had inspected the premises in question (30 School St.) in the past and found no violation, however, he has been made aware that trucks have been brought to that location in violation and he will be contacted by Mr. Humphrey in 2 weeks to decide which avenue Mr. Humphrey will pursue - the Board of Appeals or court action.

Item 2 - corres. from Town Counsel re: Soucy Constr. Company - Mr. Murphy asked if we received any input re: siding on the house, etc. To date, we have not.

Item 13 - corres. from Chief Germann re: piping of water into roadway at 10 & 12 Fairbanks Road - Mr. Murphy noted that it was Mr. Rondeau who initially informed

Meeting
Adjourned

Members
Present

Minutes
Adopted

Proclamation

Unfinished
Business

Corres. Sum.

the Bd. that the water was being piped into the road-now the pipes cannot be located - Mr. Murphy feels that we have gained nothing by this letter-writing. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to refer the matter to the AA for speedy resolution.

Item 14 - re: NVTHS article for consolidation/construction of the school - the Bd. agreed to invite reps. of NVTHS to a Sel. Mtg. in the near future to present their proposal - Mr. Shanahan stated that if the proposal is the same as the one previously presented at the December STM, he does not feel that it is necessary to meet with NVTHS reps. Mr. Murphy suggested that we inform Mr. Lafionatis of the dates of our ATM and we would appreciate their cooperation in not causing us undue expense for separate warrants, etc.

Item 20 - Board discussion re: Local Gov. Adv. Comm. re: hearings on State Mandates - Mr. Murphy suggested that the response on the questionnaire be obtained from E. Day, Town Acct. prior to the hearing and Mr. Murphy will hand carry the response to the State House.

Item 25 - corres. from Chief Germann re: operation of cruisers - the Board agreed to hold an initial work session asap with Atty. Robert Crowe, Police Chief Germann to discuss operation of cruisers (item 25) and item 27 (4 & 2 work week)- after this initial work session, the Board will meet with the Union to discuss these matters. Mr. Murphy gave the Bd. members a graph re: item 25.

At 8PM a mtg. was scheduled with Mr. Alexander Sharpe, Commissioner of Public Welfare to discuss the Chelmsford Welfare Office - Mr. Sharpe was not present for the meeting and there were no reps. from his office present - the mtg. was not held.

Item 29 - corres. from Town Counsel to Chief Germann re: disability retirement and medical expenses-the Town has no obligation; item 42 deals with corres. from Chief Germann re: Officer Ubele-he would like to retire, and if the Town will pay for his medical bills he will retire - he wants to be protected - there is a discrepancy between Town Counsel's opinion and the AA's recommendation that the Town will continue to assume medical bills. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to inform the Chief that in accordance with Town Counsel's opinion, the Board cannot continue to pay medical bills for Officer Ubele (re: item 42). Mr. Murphy suggested that perhaps an article should be placed in the next STM folder to adopt Chapter 41 (item 29).

Item 30 - corres. from Town Counsel re: Data Processing Services Bid Requirements-the Bd. agreed to forward copy of this corres. to the Town Acct., Board of Assessors, School Committee, Town Clerk and Board of Registrars for their information.

Item 35 - corres. from Bud Wilkins, past President of the Chelmsford Business Association - the Board agreed, on a motion by Mr. Shanahan, seconded by Mr. Murphy, to forward Mr. Wilkins a letter of thanks for his cooperation during the past year as president of the CBA.

Item 38 - corres. from the Chelmsford Housing Authority re: application for public housing - Mr. Shanahan noted that the Middlesex County Training School Task Force has a scheduled mtg. for this week and he, as a rep. of the Board, will set up a mtg. with the Housing Authority to discuss the future use of the Training School-when the date of the mtg. is established, he will notify the Bd. so that the Bd. may attend if they so desire.

Item 36 - corres. from NMAC re: rep. from the Conservation Comm-after Bd. discussion, it was agreed to ask the Cons.Comm. for their input - would they like to have a rep. from the Cons.Comm. on NMAC.

Item 50 - Board discussion on corres. from Ms. Alice Gossett re: traffic at East Gate Plaza - the Bd. agreed to forward same to the Police Dept. for recommendations.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

At 8:15 PM a mtg. was held with rep. of the Route 3 Cinema, Mr. Philip Scuderi, one of the owners, to discuss the Cinema's request for two additional licenses, as the Selectmen's Adm. Asst. determined that they are exercising two additional theatre licenses without having licenses issued by the Board; admission prices; traffic in the area of the Cinema. Mr. Scuderi apologized for not having requested the two additional licenses prior to the interior construction, but in the past, he had the construction performed and then requested the licenses. Mr. Scuderi stated that there has been no construction on the outside of the bldg., walls have been knocked down inside and one auditorium has been made into two smaller theatres in two areas. Mr. Scuderi stated that with regards to the parking in the lot across the street from the Cinema by Cinema patrons, he and Mr. Michael DeMoulas have a verbal, reciprocal agreement re: parking and use of the lot at night. Mr. Scuderi will attempt to have this agreement reduced to writing. Mr. Alan Nelson, Sr. and Mr. Alan Nelson, Jr., were present representing Mrs. Nelson's Candy House - they are quite disturbed with the patrons of the Cinema using their parking lot - they are losing business due to the fact that their lot appears to be full and patrons think that the store is crowded and do not bother to go inside; the parked cars are causing a traffic & parking hazard; the Nelsons' tenant, Commercial Trust is upset with the parking situation also; Nelson's Candy House is the closest in proximity to the theatre, and patrons of the theatre use their lot more often than Mr. DeMoulas'; the Nelsons are very dis-satisfied with the lack of cooperation they have received from the Cinema's Manager, Daniel Zanchi. Mr. Scuderi and Mr. Nelson agreed to get back to the Board after they meet to try to resolve the parking problems, it was suggested that a statement be projected on the screens which would inform patrons that they should not use the Nelson's parking lot - this will be considered and they will get back to the Bd. with the outcome of the mtg. Re: prices being changed without advance notice during the week of the School vacation, Mr. Scuderi informed the Bd. that one firm with whom the cinema does business reverses the usual procedure whereby they have the cinema leased to their firm (International) & in so doing they exercise control over the advertising, etc. regarding the specific film. Mr. Scuderi stated that there should have been a notation in the ad in the newspaper about the price change for that specific film. Mr. Scuderi will bring this to Mr. Zanchi's attention so that this problem will not re-occur in the future. Mr. Scuderi stated that in the future, if anyone has any problems with the operation of the Cinema, Mr. Zanchi should be contacted. Mr. Shanahan visited the Cinema this AM on the invitation of Mr. Zanchi - he viewed the structural changes. Approx. 130 seats were removed to make the changes, which may cut down the traffic, also, the movies are somewhat staggered, and egress time is staggered also. Mr. Lovering asked Mr. Scuderi if he anticipated any more cinemas being added in the facility - Mr. Scuderi stated that at this time, he could not answer that question. Mr. Shanahan suggested that Mr. Scuderi work in conjunction with the Police Dept. to deal with the traffic problems. Mr. Murphy felt that Nelson's Candy House could construct a berm to divide the parking lot with Mr. DeMoulas for lining and signing, etc. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant the Chelmsford Route 3 Cinema two additional Theatre Licenses and Sunday Entertainment Licenses for a total of six cinemas under the ^{same} terms and conditions set for the other 4 cinemas on the premises.

Mtg. with P. Scuderi re: licenses, parking & prices at Rte. 3 Cinema

A mtg. was held with Peter J. McHugh, Jr., Building Inspector and Edward LaTourneau re: Mr. LaTourneau's request for approval for notification to his insurance company by the BI that the stove was approved for safety. The BI had informed the Bd. that there is a moratorium on labelling of wood-burning stoves until after July 1, 1978. Mr. LaTourneau's insurance company has requested that before he uses the stove, he should forward a copy of a letter stating that the stove was approved for installation. Mr. Shanahan noted that in order for the BI to approve

Mtg. with BI & E. LaTourneau re: wood-burning stoves

Mtg. re:wood
burning stove
continued

installation of the stove, it must be labelled, and the State will not approve the labels until after July 1, 1978. Wood-burning stoves are relatively new to the market, and the State Bldg. Code Commission does not want to accept responsibility for hazards. Mr. Lovering interprets the moratorium which Mr. McHugh read earlier as meaning that the State is waiving the permit requirement - this should be confirmed by the proper authorities (State Bldg. Code Comm) - if this is correct, we could have the BI draw up a release stating that the State has issued a moratorium until July 1, 1978, for labelling and they have waived the requirements for permits until after that time--perhaps this would satisfy Mr. LaTourneau's Insurance Company. The Fire Dept. has no jurisdiction over wood-burning stoves. Mr. Lovering suggested that the BI confirm from Boston the correct interpretation of the moratorium, in writing, prior to any release being made by the BI. Re: Mr. Murphy's interpretation after discussions with the State Bldg. Code Comm., it would appear to Mr. Murphy that the State has placed a moratorium on labels being required until 1 July - labels are not their requirement until after July 1 - in the interim (between now and 1 July) the local BI has the discretion to issue the permit, he may choose not to issue because of the complexity of it, and the onus has been given back to the local Bldg. Inspectors. Upon suggestion from Mr. Shanahan, it was agreed that the BI would get the interpretation from the SBCC regarding this moratorium and get back to the Board asap. Re: two seminars which the BI attended on Jan. 25 (Danvers) and Jan. 26 (Leominster), Mr. McHugh informed the Bd. that both seminars were mandatory - Mr. Murphy said that he does not think that the BI should be subjected to mandatory attendance at seminars dealing with the same subject on consecutive days, and he will take this up with the proper authorities at the State level.

New Business

Mr. Murphy distributed to each Board member at last week's mtg. a guide to programs personnel publication from the Office of Local Assistance. Mr. Currier stated that the Bldg. Re-Use Project is interesting, and Mr. Currier tried to reach Gene Bunnell, the Director, but was not able to reach him. Mr. Currier suggested that the AA or David Ramsay, Spec. Projects Asst. should speak to personnell in Mr. Bunnell's office regarding bldg. re-use, re: assistance in the McFarlin School project.

Mr. Murphy informed the Bd. that the MLC&T put out a copy of the Human Service Capacity Building the Local Government which contains a survey of a number of communities - the League informed Mr. Murphy that they did not receive any input from Chelmsford on the questionnaire which was dated August, 1977 - Mr. Murphy requested that the AA determine what happened to the questionnaire. If the report was lost we can send in our response now.

Parking
Fine Schedule

The Board discussed the schedule of fines, upon suggestion of Mr. Shanahan. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to reconsider the AA's recommendation on item 28 on the Corres. Summary, which was to accept report from Town Counsel and vote to increase parking fines as recommended. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to establish the rates of fines as follows for parking violations: \$5 category--1) overtime parking; 2) parking in wrong direction 3) parking more than one ft. from curb; 4) parking in taxi stand; 5) all night parking ban; \$10 category is as follows-- 6) parking within ten feet of hydrant; 7) parking on crosswalk; 8) parking within twenty feet of intersection; 9) parking in bus stop; 10) double parking; 11) parking to block driveway or private way; 12) parking on sidewalk; 13) parking in restricted area; \$15 category-- 14) parking so as not to leave ten feet of unobstructed travel; 15) parking to block snow removal; 16) parking in front of Fire Station; 17) parking across from Fire Station when so posted. This eliminates the \$3 parking fine. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to give the AA authority to deal with the County Cmsrns. re: printing of the tickets.

New Business
continued

Mr. Shanahan commended two officers, Insp. Armand Caron and Insp. Gene Walsh for their work in apprehending thieves who broke into Howard Johnsons. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to commend these two inspectors and the CPD as a whole re: police work dealing with this incident. Thieves were apprehended in NH.

Mr. Lovering has been advised that several families in East Chelmsford are concerned with the fact that their children have to walk up back yards to get to their bus stops - parents have shoveled the yards in order that their youngsters will not be forced to walk on Gorham Street, as the State does not plow the Gorham Street sidewalks during the winter. The Board agreed to request the AA to contact the School Dept. to determine if there is a problem re: walkers & busses, and have the Hghy. Dept. assess it to come up with a solution, possibly the bus could be re-routed.

Mr. Currier stated that he read, with a great deal of concern, a letter signed by the President of the Chelmsford Police Union in the March 2, 1978 edition of the Chelmsford Newsweekly-an entire page of advertisement was taken out for the letter. Mr. Currier feels that the Board has always been open and invited any bargaining unit to come before the Board to air their problems. The Board agreed to invite the Chief of Police Robert E. Germann & our Labor Relations firm Murphy, Lamere & Murphy to discuss police matters at a meeting within the next three weeks; after that meeting, if we wish, we can ask the Union to meet with the Bd. of Sel. to discuss the matters further. Mr. Lovering stated that he is anxious to receive response from our LRA re: a memo we forwarded to them on March 3 to ascertain whether or not there were any violations of the contract requirements by the Union by publishing that letter - Mr. Currier informed the Board that he spoke with Atty. Robert Crowe re: the Union's message in the Newsweekly, which he will not make public at this time - Mr. Crowe will reduce his opinion to writing for action by the Board.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to adjourn to Exec. Session to discuss consideration with regards to transaction involving Real Property and discussions which may deal with negotiating for same, under Section 6 of the Public Records & Meeting Law. Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. At 9:25 PM the Board convened to Executive Session.

At 9:46 PM the Board reconvened to the Open Meeting. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:47 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held March 13, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mr. Currier, Chairman, called the meeting to order at 7:30 PM. Mrs. Haines, Adm. Asst., was also present.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held March 6 - Regular and Executive Sessions.

Mr. Murphy reported on a 911 Committee meeting held March 8. There was a slide presentation on the 911 Emergency Number. Present were: Mr. Murphy; Chief Reid; Deputy Chief Greska; Peter Berry of the Tel. Company; Walter Hedlund and Evelyn Haines. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the Telephone Company for a feasibility study for the 911 number for the Town of Chelmsford.

Mr. Murphy attended a Legislative Conference of the Municipal Organizations held on March 11. He handed out corres. from the conference and he placed his copy of the package in the Reading Folder for the Board's review. There was an analysis of the Governor's budget as seen by the municipal organizations. Mr. Murphy provided the Board with a four-page summary re: the Governor's budget. Also, the municipal organizations would like the educational formula adopted-the money is to come back to the community in the year of expense, not two years later.

Adjourn to
Exec. Session
to discuss
Real Property

Return to
Open Mtg.
Meeting
Adjourned

Members
Present

Members
Present

Board Reports

Board Reports
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to go on record in favor of the phased-in assumption of court costs and the reform of the education formula & so request our reps. & sen. to concur with our vote; it was further voted to forward the info. on donated funds to the RecComm, Council on Aging and other groups which the AA feels should receive this info. so that they can actively pursue same and provide the BOS with feedback within the next few weeks; it was also voted to send the Legislative Package to the Fin Comm and ask them to consider naming a legislative liason; it was further voted to place the resolve under article 1 supporting local and state revenue sharing.

Local On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to release a Press Release on the materials released last week re: the Board's position on State/Revenue Sharing; and forward a letter from the BOS ^{to the newspapers} indicating that we consider legislative matters very critical and we hope that they will receive good newspaper coverage & high priority.

Mrs. Haines informed the Bd. that the copy of the impact of mandated programs will be placed in the Signature File - the Committee will receive additional testimony. Mr. Murphy asked the Bd. for further input.

Mr. Shanahan informed the Bd. that he attended the March 9 mtg. at Reed Cottage of the Task Force re: future use of the former Middlesex County Training School, along with Gerald Tucke, rep. from No. Chelmsford. Mr. Shanahan was disappointed in the brevity of the meeting and outcome of same. Another mtg. has been scheduled for March 23 at the same location.

Mr. Lovering reported on the status of the Recycling Program - discussions took place with Matcon and Mr. Lovering will prepare a contract for same. Re: deficiencies in the trucks, both problems have been straightened out (hand-holds & steps), and one of the suppliers will absorb the costs to correct same-the Town will probably have to pay for the back-up lights for the trucks, however. The printing of the brochures has been negotiated down to the budget level-April 8 is the tentative date for Young People for Recycling Day; the start of the program is April 24.

Bid Opening
Disabil. Ins.
Pol. & Fire

One bid was received for Disability Income Insurance for the Police & Fire Depts. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to open the single bid. At 7:45 PM the bid was opened and read aloud as follows: Roger Welch Insurance, Dunstable Road, North Chelmsford: \$50 deductible for 132 employees-\$10,560; \$100 deductible for 132 employees-\$9,240; \$1,500 deductible for 162 employees. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to refer the bid to the AA for review & recommendation.

AA Report

Mr. Murphy asked the AA what caused the delay in mailing of the Health Survey - she informed him that the office had no copy on file, therefore, it was completed again and mailed.

Bd. Reports
continued

Re: bids for ambulance service, Mr. Murphy stated that he does not want to be a party of going through bidding process and ending up by ignoring bid process & negotiating service. On a motion by Mr. Murphy, seconded by Mr. Hart, it was unan. voted stop the bidding on ambulance service and negotiate contract for same as we have done in the past - the Board agreed to hold on this matter until 3/20 for resolution.

Dept. Head
Reports

The Bd. is in receipt of a report from the Town Clerk re: hours of voting for the April 1 Election - On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to concur with the recommendation of the Town Clerk to open the polls at 10AM and close same at 8PM for the April 1, 1978 Election.

Unfinished
Business

The Board held on appt. of a Precinct Worker for Precinct 4- Precinct Workers were unan. appd. for Precinct 8 as follows: Rita Gamache, Clerk & Fredda Carver, Poll Worker, on a motion by Mr. Murphy, seconded by Mr. Shanahan.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Janet Devine, Santa Fe Road as CETA Resource Worker in the Youth Center, in accordance with recommendation from the YCAC, at the specified salary.

Unfin. Bus.
continued

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Doris Perry, 270 Littleton Road, as Wiring Inspector's Clerk under the CETA Program at the specified salary.

The Board discussed Insurance Consultant - Mr. Murphy informed the Board that he has received informal information about an insurance consultant - they generally receive an initial fee for services and thereafter there is a maintenance expense which is charged on an hourly rate. A ballpark figure on the first year would be slightly under \$10,000. Mr. Hart will get additional info. for the Bd. also.

At 8PM the Bd. met with two reps. of American Family Life re: Cancer insurance and payment for claims - Blue Cross-Blue Shield will not pay a patient if he receives payment from AFL. This mtg. was held as a result of corres. from our IAC informing us of this and suggesting that we notify our employees that before they have deductions for same, they should be aware of this. After discussions, Mr. Murphy informed the Board that at the Sel. Mtg. held Feb. 6, the Board made a motion to withdraw their support of this plan (AFL Cancer policy) and the Board agreed that in the future, requests for these types of coverage should be presented to the Board ^{at the request} of the employees themselves, rather than the Board hearing random requests from Insurance Companies. The Board provided Mr. Dunne of AFL with a copy of Mr. Welch's letter re: duplication of services. The Board took no action re: their Feb. 6 withdrawal of their support for this plan.

mtg. with
American Family Life-Cancer Ins.

The Board will hold on discussions re: Capital Improvements Plan on 3/20.

Unfin. Bus.
continued

The RecComm asked that their CETA Director, Richard Sargent, be extended for a period of time as Director at the East School --- however, CETA will not allow this type of extension unless the employee will be picked up by the Town after the Annual Town Meeting. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to send a copy of the letter from CETA re: extensions to the RecComm; and authorize, with the permission of the Lowell CETA Director, a one-month overlap of that position in order that Mr. Sargent's replacement may be adequately trained.

Items 6 & 9 - corres. from North Chelmsford Water District & Center Water Dist. re: increase for hydrants budget - Mr. Murphy stated that he feels that all Water Districts should be dealt with on a similar level re: fees for hydrants, and we should add that to our report to the FinComm - we feel that the policy should be \$40 per hydrant.

Corres. Sum.

Item 14 - corres. from Chief Justice of the Supreme Court Edward Hennessey re: new method of jury service & selection for same - Mrs. Haines informed Mr. Murphy that the Town Clerk's office is prepared to comply with the new regulations, and will forward the appropriate local resident list.

Item 18 - corres. from Fay, Spofford & Thorndike - we have 95 days in which to pay for the work on Crystal Lake - 95 days from February 3, 1978 - Mr. Lovering asked for the Board's agreement that same will be paid within the specified 95 days-the Board agreed.

Item 20 - corres. from Chief Germann re: restitution program for juvenile offenders and reimbursement to the Town as a victim for same - there is a discrepancy in Chief Germann's comments and the comments provided by Mr. Martin & Mr. Houde when they met with the Board to discuss the Lowell Restitution Program & Earn-It Program. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to forward this corres. from the Chief to both reps. of these programs for their comments in a written report to the Board.

Corres. Sum.
continued

Item 28 - corres. from the Chelmsford Housing Authority re: NMAC's preliminary Area-Wide Housing Plan - our NMAC rep., Selectman Lovering, recommended to the Board that the Town should not adopt same. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to invite Mr. Hannon to a Sel. Mtg. in the near future to explain the ramifications of the plan re: zoning, etc.

Item 29 - corres. from Housing Authority re: public housing in Town - the AA confirmed the fact that a mtg. has been scheduled with the CHA on March 28 - Mr. Shanahan will meet informally with the CHA to explain the status of the Training School and receive their input.

Item 37 - corres. from Mr. & Mrs. Nolet, re: need for "Jaws of Life" for Chelms. Fire Dept. Mr. Currier suggested that the office obtain info. re: JOL, i.e., the number of times Lowell has provided this service in Chelmsford. Chief Reid feels that with the hydraulic chisel and ^{power saw} the come-along device, the Jaws of Life are seldom needed; however, the Fire Fighters themselves feel that the device is needed. Mr. Shanahan moved that the Board include funds in the budget for this device for the coming FY - this motion was seconded by Mr. Hart. Under discussion, Mr. Shanahan stated that he has received input from many residents who are upset that Chief Reid did not include this item in his budget. Mr. Currier suggested that before voting on Mr. Shanahan's motion, we should receive input from Chief Reid re: # of times JOL have been needed & used in Town, and exactly what the machine does. Mr. Lovering did research re: another issue on the table - which is, even if we do get the JOL, how long will we have to wait with the extricated person before the ambulance arrives-the record which we are seeing now is not very good. Mr. Lovering feels that the entire issue of JOL & Ambulance Service should be explored. The Board agreed to hold until 3/20 for further discussion- Mr. Shanahan had no objection to this. Mr. Murphy informed the Board that he has learned of a new device through the New England Innovation Group which has been developed by Space Age Technology which involves the use of water to propel a cutting knife, a hydra-tool to be used in areas where there is danger of a spark. The NEIG has purchased a number of these devices and Mr. Murphy will try to obtain one for the Town of Chelmsford to evaluate same for one year - he will pursue this and report back to the Board with his findings on March 20.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Mtg. with
snow plowers
re: rates

A mtg. was held with William Jones, et al re: Snow Plowing Rates for Contractors who plow snow for the Town of Chelmsford. Contractors present who signed the petition for a mtg. with the BOS to increase their fee to \$8 per hour were as follows: Frederick Greenwood, Jr., Frank Conway, James Lowrey, Neal Stanley, II, William Jones, R.J. Loiselle, Chelmsford Excavating-R. Harvey, Rick LeMasuris, Harry DeProfio, James Lowrey, Mike Gormley. The Board had informed Mr. Jones, et al that they were not willing to discuss an increase in this year's rates; however, they were willing to discuss an increase for next year's rates. Mr. Jones provided the Board with figures of the Town of Billerica, Town of Chelmsford and the State of Massachusetts re: plowing rates. The Board agreed that the plowers request for an \$8 increase was too high, however, they did agree that the rates should be investigated for some type of increase. The plowers feel that the main increases associated with their plows come from an increase in gasoline and the price of blades for plows has skyrocketed to \$100 from approx. \$35. The Board agreed to request the Hghy. Supt. and Purchasing Agent to investigate rates of other area towns comparable to Chelmsford and after we receive further input we can discuss this matter with the plowers again, with a time set for another mtg. within two months' time. Mr. Lovering feels that we should establish a 'loyalty list' of those plowers who will work for the Town when we need them-some people did not give us equipment this year when we needed it-the people who will not work when we need them should not be given the work. The plowers feel that they are losing money in many instances by plowing for the Town at the present rates. Also, the Board thanked the plowers for their work during the Feb. blizzard.

Mr. Shanahan stated that we have approved and endorsed an appropriation for SHARE, Inc. for the next FY in the approx. amount of \$27,500. Last week at the mtg. held on the grounds of the former MCTS, Mr. Shanahan spoke with Mr. Gerald Tucke & discussed one of the bldgs. utilized by SHARE on the TS grounds, as a result of the tour & discussions with individuals, Mr. Shanahan has a number of concerns. Mr. Shanahan is not totally in favor of the appropriation to be sent off to SHARE i.e. number of towns who are not appropriating funds for what is called their proportionate share of that program; and he is concerned with the standards and means by which that program at that location is meeting Federal Guidelines. The Board agreed to invite all of our SHARE reps. to a Sel. Mtg. asap to discuss these allegations and request that they forward, prior to the mtg., facts and figures of the program re: dollars & cents expended in the areas of salary and other related items at that location by SHARE, Inc. in general. The Director of the program may also be invited to attend this mtg.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to forward a letter of congratulations to the Lowell VFW Post 662 with regard to their Second Annual Marathon and the manner in which it was conducted through Chelmsford. Related to this, the Board agreed to forward, by separate corres., a letter to this VFW Post, requesting that in the future, they police the routes which the runners use, as many paper cups were strewn along the trail over the course of the race.

Mr. Lovering stated that for the last couple of weeks there has been a Real Estate sign (advertising an Open House) in the Center of Town opposite the Citgo Gas Station on Sundays, and this past weekend it was there on Saturdays as well. The Board requested the AA & Bldg. Insp. research the owner of same & inform them of the bylaw regarding this sign.

Mr. Lovering requested that the AA forward to the Planning Board, on March 14 or March 15, some wording re: articles concerned with the potential sale of the Emerson Property to meet proper advertising deadlines. The AA will be provided with the wording by Mr. Lovering this week.

Mr. Lovering discussed corres. received last week from the Bldg. Insp. re: zoning violation at 30 School Street. Mr. Lovering stated that a newspaper had reported on this matter, and he feels that the summary misleads the residents re: zoning violation & response from the Bldg. Insp. The Bldg. Inspector's letter of last week confirms Mr. Lovering's concern that there was a violation existing at those premises. In his letter, Mr. McHugh said that he tried to meet with the party in question, and he was told that the machine was not there at all times - Mr. Lovering presented the Board with photos of vehicles on the premises in Aug. of 1977 (at least 6 pieces of equipment were on the premises); in addition to that, Mr. Lovering has evidence which can be confirmed in Court, if need be, that the garage area has been completely bulldozed to accommodate all the storage of heavy trucks; the equipment is there in the early morning and after 6PM - flood lights are on all evening; in warm weather men come in the morning with their pickups & at supertime they come back & leave the equipment there for the evening; when the 1st snowstorm of this season came in December, 1977, plows were put on at 2:30 AM; recently the garage doors were widened & heightened in order to accommodate the heavy equipment inside the garage; the equipment has New Hampshire license plates and all of the plates have plaques with the name 'Gladstone' on them; there is a 2nd photo taken in Feb. just prior to the blizzard - there are 5 pieces of equipment in that photo on the premises. Mr. Lovering feels that the problem is not just at random times, 30 School Street has been used for some time now as a launching pad for construction jobs in the summertime, and plowing efforts including the Town of Chelmsford in the wintertime. The BI indicated that we could have a response from the owners of the property in two weeks' time as to which avenue they intend to pursue re: this violation - Mr. Lovering requested that we ask the BI by March 20 whether the Humphreys intend to request a variance, or whether we will take them to court. Mr. Lovering allowed Bd. members to view the photos mentioned above.

New Business
continued

Mr. Lovering received a copy of a statement issued on this date by the Chelms. Federation of Teachers Local 3569 re: negotiations for the teachers' contract. One section mentions that "Philip Currier, Chairman of the Board of Selectmen spoke to the excluded teachers and told them that after studying the Town's budget, the increased tax rate was not, in his opinion, due to the salary expenditures of the Town employees" (sic) - the statement goes on to say that "since last Thursday evening, other Selectmen have also approached the Union and expressed their support for the teachers." (sic) Mr. Lovering addressed this matter as he feels that one interpretation of this could mean that a majority of the Board of Selectmen has endorsed the position of the teachers with regard to this matter. The BOS have not discussed this in a meeting, and have not taken a position as a group. Mr. Lovering requested that the minutes of this mtg. reflect the fact that the BOS have not addressed this matter as part of their activities as Selectmen. For the record, Selectmen Lovering, Murphy, Shanahan and Hart stated that they have not contacted the Union with any statement regarding this matter. Selectman Currier explained in detail his comments to Mr. Meidell, and he informed him that his comments were not ^{made} as a Selectman, but rather as a concerned taxpayer and as a father. Also at that time, Mr. Currier expressed his concern for the Town Hall and number of persons occupying same during this meeting. Mr. Murphy feels that the Board of Selectmen should not get involved with this issue as a Board, as such. The comments in the statement are deceiving with regards to comments by the Board of Selectmen.

Mr. Currier informed the Board that he has been advised that the Rotary Club has some scholarships available for students in their second year of College and beyond (Undergraduate & Graduate Schools) - they are scholarships to study abroad - they only have 5 applicants from Chelmsford & would like more. Mr. Chuck McCannon can be contacted regarding this matter.

Mr. Currier noted that the road sign for Village ^{View} Road is spelled wrong on the sign - the AA will request the HD to correct same.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Exec. Session to discuss matters dealing with strategies re: litigation & collective bargaining, as outlined in corres. from our Labor Relations Advisor, Atty. Robert Crowe. Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye. The Board adjourned to Exec. Session at 9:15 PM.

At 9:25 PM the Board reconvened to Open Meeting. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 9:26 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen held March 20, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier opened the Regular Meeting at 7:05 PM. Miss Kathy Hesse, of the firm of Murphy, Lamere & Murphy was present to discuss Labor Relations. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn to Exec. Session at 7:06 PM to discuss contract negotiations (Town Hall Employees' Contract). Roll Call Vote was as follows: Mr. Murphy-Aye; Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Currier-Aye.

At 7:36 PM the Board returned to the Open Meeting.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Regular Meeting held March 13, as corrected, and the minutes of the Exec. Session of March 13.

Convene to
Exec. Session

Return to
Open Mtg.

Mtg. adjourned

Members
Present
Adjourn to
Exec. Session
re: Town Hall
Union Con-
tract

Return to
Open Mtg.

Minutes
Adopted

Mr. Murphy reported on his investigation into a device from the New England Innovation Group re: apparatus similar to Jaws of Life which is propelled by water & eliminates sparks when extricating victims trapped in a car. Mr. Murphy provided Bd. members with copy of corres. from the Mayor of Gulfport, Mississippi who has agreed to use the device in his 100-man Fire Dept. Mr. Murphy stated that he could obtain this device for use in our Fire Dept. for one-year free of charge & we should indicate our desire to obtain same. The Board discussed this subject with members of the Fire Dept. present at the meeting - they presented pros and cons of this device; but they agreed that it would be beneficial on a 1-yr. trial basis free of charge to the Town. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward copy of corres. regarding this device to the Fire Chief and request that he forward a response to the Board on same within one week's time; if we get a positive response from the Chief we will request same, officially in writing, from NEIG. Mr. Murphy will attempt to obtain dollar figure on the cost of purchase of this item. Copies of corres. regarding the hydratool were provided to James Spinney, Pres. of the Union at this time.

On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to take discussion re: Jaws of Life (under Unfin. Bus.) out of order in order that the Bd. may discuss same while Fire Dept. Reps. were present at the meeting. Members of the Fire Dept. stated the reasons they feel that the Town of Chelmsford should own a Jaws of Life - safety and expediency in extricating victims trapped in vehicles. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to include in the Fire Dept. Budget for the next FY a line item for purchase of a Jaws of Life for the Town of Chelmsford - the Bd. will forward a copy of this vote to the FinComm & Fire Chief.

Unfinished
Business

A Bid Opening was scheduled for 7:45 PM for Police Professional Liability - one bid was received - 9 firms were forwarded a request to bid. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to open the single bid. Bid was as follows: Roger Welch Insurance Company, Dunstable Road, North Chelmsford: total \$11,497.50 - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to refer the bid to the PA for recommendations for award.

Bid Opening-
Police Prof.
Liability

Mr. Shanahan reported on a mtg. of Task Force for future use of MCTS which is scheduled to be held on March 22 at the Reed Cottage-he will attend on behalf of the Board.

Board
Reports
continued

At 8PM the Board held a public hearing re: Bill & Andy's Increase in Fuel Storage at Bill & Andy's, 30 Chelmsford Street, from 10,000 gallons underground to 18,000 gallons of automobile fuel. Mr. Andy Shuhany represented his business at the hearing. The additional 8,000 gallons is requested as a result of Mr. Shuhany's suppliers delivering increased amounts of gasoline. The application has been approved by the Fire Chief. Mr. Peter Markham asked if the increase in storage would mean an increase in autos parking in Mr. Markham's lot while awaiting service at Bill & Andy's - Mr. Shuhany said the increase in storage should not effect number at patrons, as they are not adding additional pumps. The tank will be placed near Mr. Markham's property. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the increase in storage as indicated above to 18,000 gallons of fuel for automobiles underground. The tank will be installed prior to November, 1978.

Public Hear-
ing-increase
in gas.strg.
at Bill &
Andy's

Mr. Currier reported on a mtg. held of the Drug Abuse Committee on March 16 - Don Butler was appointed as Chairman Pro-Tem, and Mr. Butler & Mr. Finnegan will get back to Mr. Currier with a report on where the problems exist in Town and what can be done about them, by the DAC.

Board
Reports
continued

Mr. Currier reported on a mtg. held at the Senior Cit. Drop-In Center on Mill Road on March 16 attended by Sammie Greene of the Boston HUD Office, Kathy

Board
Reports
continued

Robinson, Walter Jones, & Evelyn Haines to review status of construction to date. Mr. Falzarano informed Mr. Jones that he expects to finish the work within the specified time - he feels that it should be completed within ten working days. Mr. Currier requested that the Board consider appointing a CETA employee to act as a Maint. Man/Custodian to do painting & other necessary things which were not included in the contract. The AA will place this item on the 3/28 agenda for a vote.

Mr. Currier reported that he had received requests from residents of the Graniteville Road area re: liquor license issued by Westford Board of Selectmen to Stoney Brook Rod & Gun Club - the Club borders on some of the Chelmsford residents' homes and they were concerned about hours of operation, etc. at the Club. Sel. Currier attended the Westford Sel.Mtg. last week on behalf of the Graniteville Road residents. Mr. Currier placed corres. re: provisions for the license in the Reading Folder. Mr. Murphy stated that there is a problem in that the license was granted with more hours than were stated in the original presentation - the Chelmsford residents will keep us posted on any problems - they are deciding whether or not they want to appeal the issuance of this license to the ABCC.

The Board went on record as being in favor of the Earn-It Program and Lowell Re-stitution Program - Mr. Currier indicated that he had heard that the Bd. was not in favor of these programs.

Mtg.with
Spec.Proj.
Asst. re:
use of Mc-
Farlin School

A mtg. was held with David Ramsay, CETA Special Projects Assistant to discuss his report on the move to the McFarlin School, should the Board vote to do so - the Board congratulated Mr. Ramsay on the report. The Bd. agreed to remove Item 21-table in the amount of \$5,000. Sel. Shanahan suggested that some of the carpentry work, etc. be completed by students at NVTHS - Mr. Lovering stated that in the past, Unions have become quite disturbed when we allow students to perform work for the Town. Mr. Lovering, ^{stated that} within 2-3 weeks we will have some type of agreement with Dr. Currie re: property on North Road - at that time we should address question of funds with which to handle the move as a result of, perhaps, sale of the Emerson Property.

Adm.Asst.
Reports

The AA requested the Board to approve a request from the Reserve Fund for a Transfer for the Labor Rel.Adv. in the amount of \$357.50 due to many arbitration cases - this was so voted unan. on a motion by Mr. Murphy, seconded by Mr. Shanahan. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve a request for trans. from the Reserve Fund for the Photocopy Machine in the amount of \$2,500.

Mrs. Haines requested that the Bd. approve mileage reimbursement for 6 CETA employees: William O'Neil, Jeffrey Gokin, Thomas Fleury, Robert Sadowski and Kevin O'Connor - they are employed in the drainage alleviation & park beautification project - mileage is not to exceed \$20 per month. Mr. Shanahan suggested that the AA determine if some of them could drive to work together, if they all work at the same station - the AA will research this. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve mileage for these employees - the AA will speak to the supervisors regarding travel. The AA provided the Bd. with copy of the proposed warrant & requested that they review same & provide changes to her asap-warrant must be posted on March 24, 1978. At 8:30 PM a mtg. was held with Bernholdt Nystrom, Randolph Brumagim, and Stratos

Dukakis re: NVTHS new proposal for addition to NVTHS, and consolidation for expansion. Mr. Brumagim made a detailed presentation to the Board, copy of which he gave to the AA for the Board's file. The addition was defeated at the Dec. 13, 1977 STM - costs of construction have gone up since the Dec. proposal making the total bond \$1.2 million. The NVTHS Comm. met with Ayer's supt. & School Comm. last Thursday to discuss possibility of Ayer's joining into the School District - Shirley is also interested in joining this District. Mr. Murphy had two questions of Mr. Brumagim - 1) if the Communities involved in the District now decide to expand the bldg., will all those discussions cease with the two

Mtg.with
NVTHS Comm.
re: addition

communities wishing to get into the district - Mr. Brumagim stated that the answer is no - they are dealing with the maximum number of students that the school was originally intended to house - the facilities for heating, electrical, sewage and fuel reserve are all calculated around the figure of 900 students, and we are not going beyond 900 students. Mr. Murphy asked Mr. Brumagim if they get what they want now, will they come back in two years with a proposal to include two additional towns-Mr. Dukakis said if two additional towns buy in, there may have to be a decrease in the number of students from the present towns - there will be no further expansion through leasing of the facility, Federal Grants will not be accepted unless the School Comm. votes on them in any way, shape or manner, Mr. Nystrom stated - he went on to say that at no time will Ayer or Shirley children be brought into the District without the approval or vote of all four towns presently in the District. Mr. Murphy's second comment was with regard to the NVTHS letter indicating that the proposal would be brought before our ATM this year - Mr. Currier stated that should there be a Special Tn. Mtg. within our ATM this year, the article can be addressed; as our Annual Tn. Mtg. warrant deadline for articles has passed some time ago, it cannot be discussed at the Annual Tn. Mtg. Mr. Murphy stated that the opinion from the architect is not independent, in as much as the architect has something to gain from his work on the proposal. The fee for the drawings was \$4,000. Mr. Shanahan asked if all applicants to NVTHS were admitted - Mr. Brumagim stated that if there is space available in the shops and the student passes an entrance exam taken in early Spring, and is technical high school material (determined also by an interview) he/she will be admitted. Mr. Shanahan stated that he knows of at least six applicants who applied and were turned down for admission-Mr. Nystrom stated that there is a definite reason why students who were not admitted were turned down, and the records for same are on file. Mr. Brumagim informed Mr. Shanahan that he will forward him, via mail on March 21, admissions policy for NVTHS. Mr. Hart stated that in the report it is stated that the addition is needed to satisfy needs of the four towns now - Mr. Brumagim said this is correct- there will be no other additions. Mr. Hart stated that if NVTHS is considering letting two additional Towns buy into the District, it would have to be at the cost of bringing students into the current facility and doing away with some of our own Chelmsford students wishing to attend NVTHS - Mr. Brumagim stated that the number of students being talked about is not in excess of 250 students which would bring the total to the 900 mark which is the present projection for next year; the figures for this projection are based on the four current towns, yet previously Mr. Brumagim stated that if other towns are included, it will be at the cost of cutting students out from Chelmsford - Mr. Hart stated that when Mr. Murphy asked a question regarding this subject which was similar, the answer was that there would be no further additions. Mr. Dukakis stated that the expansion program now is to take care of our own four towns' students-if Ayer & Shirley come in, any expansion required to bring them in would have to be paid for by Ayer & Shirley. Mr. Hart stated that irregardless of who pays for the expansion or when it occurs, if Ayer & Shirley join, there will have to be an expansion; therefore the answer to Mr. Murphy's original question is 'yes'. Mr. Shanahan stated that he would appreciate a vote by the NVTHS Comm. as to whether or not they intend to support the addition of two towns in the District, and as many as 250 students. Mr. Lovering stated that the emotions of the issue should not interfere with any negotiations initiated re: addition of 2 new towns into the District, although Mr. Lovering is not endorsing that, he can envision circumstances in the future where it may be in the best interest of Chelmsford & other existing communities to have increased membership. Mr. Lovering feels that the NVTHS Comm. should be encouraged to proceed with the negotiations and evaluate the impact & make a presentation to the Bd. at the appropriate time. Mr. Lovering asked if some community wishes to buy into the District, are they obligated to credit the existing communities with dollars re: the initial capital expenditures for the physical plant - Mr. Brumagim stated that a determination on this would have to be made by the Bond Counsel, but he can envision something like this happening. Mr. Currier asked the reps. why they decided not to go to the 45/15

Mtg. with
NVTHS Comm.
re: addition
continued

alternative that the Greater-Lowell RTHS used to solve their space problems - Mr. Nystrom stated that the NVTHS is used during the summer for Special Needs Program & Study Program. A survey was taken some time ago and only 3% of the entire district's citizens were supportive of the 45/15 program (in 1974). Mr. Nystrom stated that the survey was made up almost entirely of residents who did not have students at Nashoba - Mr. Shanahan asked what percentage of the residents responded to the survey - Mr. Nystrom said he thought about 10%; Mr. Nystrom will forward Mr. Shanahan on March 21 info. re: ^{to whom it was sent} questions in survey & results of same. Mr. Shanahan stated that in December the Chelmsford Board of Selectmen unan. voted to go on record in opposition to the addition to NVTHS - and as far as he is concerned, in no way can he, based upon the logic, figures and need, support this proposal - he has seen no change from the initial proposal - all he can see is a 20% increase since the cost of the December proposal. Mr. Brumagim challenged Mr. Shanahan to inspect the premises for the need of the addition, etc.

Mtg. with
J. Gonsalves
re: Class II
ADL-297 Littleton Road

A mtg. was held with John Gonsalves, A-1 Auto Body, 297 Littleton Road, re: his request for a Class II Auto Dealer's License on the premises afore-mentioned. Mr. Gonsalves applied for the license on Nov. 4; however, he had to obtain a variance for use of the premises ^{from} the Board of Appeals. The variance was granted by the Board of Appeals on Jan. 26 as follows: granted for 1 year, renewable by the BOA at the end of this time if all restrictions are adhered to: 1) must be restricted to area now designated as A-1 Auto Body; 2) not transferrable to any other party; 3) no more than 3 cars in operation & will be housed inside premises at night. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to grant Mr. Gonsalves the Class II ADL at 297 Littleton Road provided that all restriction of the BOA are met - the license is restricted to three vehicles. No one was present in favor or opposed to the license. Mr. Gonsalves may apply for a dba in order to keep the auto body business separate for the record.

Mtg. with
Personnel Bd.
re: Salary &
Wage Level
Proposal

A mtg. was held with the Personnel Board to discuss salary & level proposal developed by the Personnel Board. Members present were: Mr. McLachlan; Dr. Fabien; Mr. Olsson. Mr. Currier congratulated the Personnel Board on behalf of the Selectmen for a job well done in this most detailed proposal. Mr. Lovering stated that it was a milestone for Town Employees. In developing the proposal the Pers. Bd. reviewed salary schedules provided by the MLC&T. This proposal allows the appt. authority or supervisor to review the performance of his/her employees during the year; based on same the employee will be rewarded at the end of the year by giving the employee an increase different from what is ordinarily called 'cost-of-living'. There are approx. 16 grade levels; each level has 20 different steps; each step is in 2 per cent increments so that an employee hired at the minimum level and has completed his/her job satisfactorily every year after 20 years, theoretically, could move from the minimum to the maximum salary. The Pers. Bd. evaluated all of the jobs under their jurisdiction and evaluated them in terms of budgetary & supervisory responsibility, skills, training, etc. The increases range from nothing to about 16% - the average payroll increase is 6.6% and the latest cost-of-living increase from the Fed. Gov. is 4.8% for 1977-78. During the next FY there will be no 2% increments; during this period a review program will be implemented to provide guidelines to the supervisors. Then, the following year an increase will be approved upon the recommendation of the supv. & Personnel Board. Article 2 will provide several things: 1) general description as to how jobs will be classified; 2) step by step explanation as to how the minimum salary in each Grade Level will be established; 3) Wage & Salary Schedule will become part of the bylaw; 4) para. on how performance will be reviewed. The Pers. Bd. will have a presentation ready for Town Mtg. to enlighten residents on the new proposal.

5-minute
recess
Unfinished
Business
continued

At 9:30 PM the Board recessed for five minutes.

The Board held on Election Worker for Precinct 4.

Upon recommendation from Chief Germann, on a motion by Mr. Murphy, seconded by Mr. Shanahan, Timothy O'Connor was unan. appd. as a Police Officer in the Town.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Carolyn Antonis and Steven Meuse as CETA Library employees at the designated salaries, recommended by Mr. Panciera, Lib.Dir.

Unfinished
Business
continued

The Board discussed Ambulance Service. Last week Mr. Murphy suggested that rather than bid for ambulance service and not use the bids, the Town should negotiate the service. Mr. Currier stated that the bid requests have already gone out; however, the Board could choose not to open same. Mr. Murphy had a question as to the legality of this, however. The AA provided the Bd. with an opinion from Town Counsel McCarthy which dealt with content of contracts for this service. Mr. Lovering stated that for the last two-to-three years we have had two different ambulance services in Town and he suggested that the PA or Tn. Planner review the services of both firms with the Police & Fire Chiefs ^{& users} as to how they feel about the services they received. On a motion by Mr. Lovering, seconded by Mr. Shanahan it was unan. voted to instruct the Purchasing Agent, in conjunction with the Town Planner to contact the Police & Fire Chiefs, as well as users of the ambulance services provided by Medic & American Ambulances to determine which firm provided more effective service, prior to the Board negotiating any contracts for ambulance service. Mr. Lovering stated that great weight will be placed on the results of the survey re: services. Mr. Lovering suggested that we forward both firms a letter stating that for their own information, the ultimate decision re: ambulance service will be based on price & past service provided to users.

The Board discussed Capital Improvements Plan - Mr. Murphy has compiled the Sel. comments - he still must discuss same with the Town Acct. In terms of the Sel. Dept., Mr. Murphy combined two categories from last year - one was landfill equip. and the other was sanitary landfill development-the \$ figure has not changed; McFarlin Renovation moved down closer to figure presented this evening; aerial photography is unchanged-1982, 1983-\$10,000; Drainage remains the same; some level we have included before for sidewalks; Emerson Property has been dropped out as an item; Crystal Lake improvement has been dropped out until residents of that area come forward with a plan publicly supported; voting machines were dropped out; engineering dept. was dropped out; for Central Sq. \$10,000 was put in as a round figure for completion of the design work; Rec.Comm. Master Plan will be important, but the numbers are out of line & will change; Hghy. Dept. vehicles will have to be determined to be valid. The Bd. agreed to change title re: wetlands analysis/aerial photog. item to break the \$25,000 out into a 'wetlands or conservation map project' and the \$120,000 out in 1982-83 as 'assessor map project' - the Bd. agreed to hold on approval of the above until 3/28.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve the budget request for the Highway Dept. in the total amount of \$1,115,485-\$200,000 has been placed in the Snow & Ice Acct. for the next FY.

Item 3 - corres. from Golden Buccaneers for Tag Days on two consecutive Fridays & Saturdays - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to allow this group to hold the Tag Day on either weekend, not both, and to inform them that in the future, they should get requests of this nature to the Selectmen at least one week prior to the requested dates.

Corres.Sum.

Item 6 - corres. from Norman Wellington requesting payment of 19 sick days to him- On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request the Chief of Police to perform an audit of Mr. Wellington's request to determine if it is valid.

Item 7 - corres. from Chief Germann requesting 2 Police Officers to replace retiring N. Wellington & R. Simpson, both retiring on Disability-Mr. Murphy stated that he was not aware that Officer Simpson was retiring. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request Chief Germann, in the future, to forward the BOS a copy of the requests for retirement prior to its official submission, & inform him not to sign them until they have been forwarded to the Board.

Corres. Sum.
continued

Item 8 - corres. from Roger Coutu, CETA re: Town's commitment to absorb John Emerson - Mr. Shanahan stated that he will not be absorbed by the Town unless he is approved at Town Mtg., and Lowell CETA should be made aware of same.

Item 12 - corres. from Camp Paul requesting One-Day All Alcoholic Liquor License for Annual Banquet on May 6 - Mr. Shanahan abstained from the AA's recommendation to approve same, in accordance with his April 26 Point of Privilege.

Item 19 - corres. from NMAC re: State Growth Policy - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to go on record with NMAC as being in favor of the Home Rule Aspect of this report, and to support concepts of the report which speak to maintaining control at the local level of fighting local options, at this point in time.

Item 20 - corres. from Sgt. Fitts re: 1-man patrol cars and the inadequacy of the radio system in the cruisers - Mr. Murphy stated that he feels that info. of this nature should be funneled through the Police Chief first, or the Dept. Head - and be evaluated at that level prior to coming to the Selectmen's Office - unless the Dept. Head has not taken action on same. The Bd. agreed to forward a copy of this corres. to Robert Sheehan. In the future, the Bd. will not respond to comments of this type until after the Dept. Head has had a chance to review same.

Item 26 - Board discussion on corres. from Div. of Personnel Administration re: exam for Deputy Chief - the AA had sent a letter to the DPA indicating the reasons that the Board want the exam oral as well as written; also, when the Bd. met with Mr. Cox in Boston, he advised the Bd. that the Town could request an oral exam. Mr. Currier suggested that we contact DPA & indicate that we will conduct interviews with any applicants deemed appropriate, and contact them by phone next week informing them of this, as well as Mr. Cox's prior comments re: oral exam.

Item 29 - corres. from Dep. Chief Greska re: recording devices in cruisers - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to ask the Police Dept. for a progress report next month on the recording devices to determine their effectiveness.

Item 30 - corres. from Comm. of Mass. Civil Preparedness Conference Notice - Mr. Murphy stated that many of these conferences (at the State Level) are held on week-days, thereby making it impossible for local officials to attend during their normal work day. On a motion by Mr. Murphy, seconded by Mr. Lovering, it was unan. voted to correspond with the Dept. of Community Affairs voicing our encouragement of holding all portions of the Executive Branch hearings in a more balanced time-frame in order that local officials may attend same without interfering with their work day. Mr. Murphy stated that perhaps Public Television should be considered for conferences.

Item 36 - corres. from the Bldg. Insp. stating that Mr. Charles Humphrey, 30 School Street, has applied to the Bd. of Appeals for a variance re: his zoning violation - On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to forward a copy of the minutes of the March 13 Sel. Mtg. regarding this matter to the Board of Appeals for their review. The requested variance is to house 3 vehicles for 3 months for snow plowing. Mr. Lovering will attend that BOA mtg. & as a Sel., voice his opposition to granting of same. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the Administrative Assistant's Recommendations on the Correspondence Summary, ^{as amended} and include same in the minutes of the meeting by reference.

Mr. Murphy requested a Progress Report from the Police Dept. as to the training of the men re: Police Rules & Regulations.

New Business

Mr. Murphy asked that the PA use the Purchasing Manual - 5 to 6 items which are to be purchased for all Depts. under the State Contract Purchasing Program - the Bd. agreed to inform the PA of the Purch. Manual & instruct him to implement same - the Dept. Heads should be reminded of this also.

Mr. Murphy requested that a member of the Safety Committee attend a mtg. on municipal safety issues in Boston - he left the corres. regarding same with the AA, from the MLC&T Beacon.

Also in the Beacon, the expiration date of insurance is outlined-Mr. Murphy stated that at some point in time it may be beneficial to discuss with an Ins. Consultant the expiration dates of policies - should they all expire at the same time, etc. Mr. Lovering stated that there also may be a disadvantage to this. The Bd. agreed to ask the Insurance Commission and our vendors about this matter.

The Board agreed to encourage Town Counsel to inform us when the Hallberg case will be brought to court, as activity was noticed there on Proctor Road at 7:15 AM recently.

Mr. Murphy stated that in terms of recent actions which he has read in the newspaper associated with a number of massage parlors appearing in a chain - 3 of these establishments in NH are being investigated & indictments will be made. Up to this time, another of those establishments, supposedly the ownership of a single individual associated with it, exists in the Town of Chelmsford - the Bd. of Health made certain that it complied with all regulations. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to request written report from the Board of Health assuring the Sel. that the places are observing all regulations as laid down by the BOH; and request assurance that the Police Dept. does some investigation, if they have not already done so, indicating that the operations are legal.

On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to ask the owners of any parking lots owned by stores who have not yet complied with the Town's request to enforce 'No Parking' in Fire Lanes to come before the Bd. and indicate what problems they have with complying with our request - this mtg. will be scheduled for the April 10 meeting.

Mr. Hart is not supportive of the HRAC questionnaire which is presently being distributed in Town. Also, some time ago he requested that the HRAC meet with the BOS at a Regular Mtg. to discuss future direction of the HRAC - to date they have not informed the Bd. of a date for this mtg., and Mr. Gravell requested that the mtg. be held on a Saturday - there are other members of the committee who could attend on behalf of the chairman, and therefore, the mtg. should be held on a regular meeting evening. The Bd. agreed to invite the HRAC to attend a regularly scheduled Sel. Mtg. in the near future to discuss future direction of the HRAC. Mr. Shanahan suggested that the HRAC consider pursuing the concept of Town Meeting to be held on Saturdays. Mr. Lovering said the HRAC would have data from the results of this survey re: this item.

Mr. Currier informed the Board of a surface water drainage problem on Cottage Row/Lancaster Ave. area - the AA will request the Hghy. Supt. to investigate same.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the Selectmen's Meeting. The Meeting was adjourned at 10:45 PM.

For the Board of Selectmen, by

Bonita Towle

Jurors drawn on 3/22/78 by Sel. Currier were as follows: Lowell- Allen D. Nelson, Sr., 5 Hidden Way; Cambridge- Marjorie Brown, 19 Cedar St; John Nicoli, 8 Clark Ave.; Mary Clark, 27 Rainbow Ave.; Robert Beals, 12 Rack Road.

Mtg. Adjourned

Jurors Drawn

Members
Present

Regular Meeting of the Chelmsford Board of Selectmen held March 28, 1978. Members present were: Mr. Currier; Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Currier, Chairman, called the meeting to order at 7:30 PM.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the minutes of the Selectmen's Meeting held March 20 - Regular & Executive Sessions.

Minutes
Adopted

Mr. Murphy commented on a well-done report re: meeting with FinComm last week prepared by Mrs. Haines - he stated that it is critical that the Board provide the AA with their position on Warrant Articles for the 1978 ATM.

Board Reports

Mr. Murphy reported on the status of the bill passed re: CPR - Chapter 70 will provide these funds and Mr. Murphy will notify Mr. Tucker of the Chelmsford Elks of info. regarding same. The School Comm. must notify the State if they wish to participate & accept the law.

Mr. Shanahan reported on a mtg. re: Task Force re: former Middlesex County Training School grounds & future use of same. Mr. Shanahan attended the mtg. last Thursday - it was determined that the MCCmsnrs. have the power to sell or transfer that land to the Legislature - the County Cmsnrs. are not of the impression that Chelmsford has any right of first refusal for that property. The manner in which the grounds will be made available to the public is a realtor and/or a consultant will be chosen by the MCC and Task Force. It will be the role of the realtor and/or consultant to try to market that particular property. Mr. Gerry Tucke and Mr. Shanahan requested that no bid on that property be accepted before the individual or organization has submitted a proposal on the property - this was approved. The Town of Chelmsford would like to be kept aware of the intent of use of the land by proposed bidders, and the dollar sign behind the proposals.

AA Reports

Mrs. Haines informed the Board that she and the Purchasing Agent reviewed bids for Professional Liability Ins. for the Police Dept. and Accident Insurance for the Police & Fire Departments. On a motion by Mr. Murphy, seconded by Mr. Shanahan it was unan. voted to award to Roger Welch in the designated amount.

Mrs. Haines informed the Board that two weeks ago the Board appointed Doris Perry as Clerk under the CETA Program in the Wiring Insp's. Dept. - Mrs. Perry is ill at this time and unable to accept this position. The AA and Wir. Ins. met and recommended appt. of Laura Seivert to fill the vacancy at the specified salary - this was unan. voted on a motion by Mr. Shanahan, seconded by Mr. Hart.

Mrs. Haines informed the Bd. that Steven Meuse, appointed last week as a Library Aide is not qualified under the CETA Program - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to appoint Paul Dubey to fill this vacancy, at the specified salary.

Arnold Lovering left the Sel. Mtg. for approximately five minutes to meet with the FinComm and Dr. L. Rodger Currie re: Dr. Currie's proposal re: Emerson Property. He joined the meeting in progress.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to approve mileage for Janet Devine, a CETA Resource Worker in the Youth Center, not to exceed \$30 per month.

The Town Planner & Purchasing Agent provided the Bd. with a report on ambulance service in Town - pros & cons of both Medic & American Ambulance from users in Town and the Police & Fire Chiefs. At the last Sel. Mtg. the Board had discussed the possibility of rejecting bids and requesting negotiations with both firms for a price not to exceed \$300. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to return both bids received (from Medic & American)

Unfinished
Business

unopened to the bidders and request that mtgs. be conducted to negotiate a contract for ambulance service, under \$300 - the Board returned the bids at this point in time to both bidders. If no contract can be agreed upon under the negotiation process, we will have to rebid this item. Bids were scheduled for opening this evening at 7:45 PM.

Unfinished
Business
continued

A single bid was received for Bus Service - on a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to open the bid, which was as follows: Marine Transportation, Ward Way, No. Chelmsford in the amount of \$28,000 plus all fees collected - same amount as the past two years. On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to take the bid under advisement until after action at Town Meeting.

Bid Opening-
Bus Service

The Board held on appointment of an Election Worker in Precinct 4.

Mr. Murphy moved the nomination of the following persons as Auxiliary Police Officers, recommended by Chief Germann, to act in emergency situations without pay: James Ernst, Bradford Poole, Richard Turnbull, and Alan Grekula. They were unan. appd.

The Board discussed the appointment of a representative of the Board of Selectmen to the Middlesex County Advisory Board. The recommendation on the Corres. Sum. was to appoint the Town Planner - Mr. Murphy felt that the Town Planner, a CETA Employee, should not be appointed in this capacity. Mr. Murphy feels that a member of the Board should serve in this capacity. The Board agreed to hold on this item until 4/3/78.

At 8PM the Board met with Elaine Altman of the Merrimack Valley Health Planning Council and Dr. Michael Athanasoulas. Ms. Altman explained the charter of the MVHPC in detail and provided Board members with pamphlets on same. She informed the Board that MVHPC is trying to develop more interest from the towns and cities in the Merrimack Valley and encourage membership.

Mtg. with
MVHPC

A mtg. was held at 8:15 with John Mahoney of the Lawrence Regional Welfare Office to discuss the proposed closing of the Chelmsford Welfare Office & to obtain info. from the Welfare Dept. as to whether or not they would be interested in reserving space should the Town Hall move to the McFarlin School. Ms. Rose Marie Molettieri of the Chelmsford Welfare Office was also present. Mr. Mahoney stated that he could not foresee the office closing for at least one year, and he will forward the AA written documentation regarding same, including Legislation, etc. Mr. Mahoney requested that if the Town Hall moved, space be reserved for the Welfare Office (1200). Mr. Mahoney will provide the AA with a copy of the report re: evaluation of merger - Mr. Mahoney will get back to the AA with the requested info.

Mtg. with Lawrence Regional Welfare Office Dir. re: closing of Chelmsford Welfare Office

Mr. Murphy nominated Gula Boyce to serve on the Bd. of Directors of Elder Services of the Merrimack Valley - she was unan. appointed by the Board.

Unfinished
Business
continued

The Board discussed the position of CETA Veterans' Agent Clerk. Mrs. McAuliffe will be without a clerk when her CETA Clerk terminates - Mr. Hart stated that at the FinComm mtg. last week, a full-time Town Employee to act as Clerk in the Vet. Agent's Office was discussed - he requested that the Board hold on this matter. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was unan. voted to request by priority corres., a one-month extension of the current CETA employee in the VA's Office from the CETA Office in Lowell, in view of the above.

Mr. Murphy moved the nomination of Martin Ames to the Board of Directors of the MVHPC - he was unan. appd. by the Board.

The Bd. agreed to hold on discussion re: the Sen. Cit. Drop-In Center Custodian under the CETA Program until 4/3/78.

Mr. Murphy provided Board Members with copies of material re: Capital Improvement Plan - the RecComm changed their \$ figure for the Master Plan from \$200,000 to \$20,000 per year. The AA will contact the Police Chief to determine if he is still interested in the motorcycle. Mr. Murphy suggested that the depts. concerned meet in Sept. to proceed on same. The Bd. will officially vote on same on April 3. Mr. Hart stated that some change may be made re: purchase of Fire Dept. car & pick-up - which one will be purchased in '79 and which one will be purchased in '80.

Corres. Sum.

Item 6 - Mr. Murphy suggested that the BI insure that when billboards are not approved by the Outdoor Adv.Div., they are removed by the owners.

Item 8 - corres. from FinComm re: legislative liason - we will notify the MLC&T of the liason, and the municipal organizations.

Item 13 - corres. from Chief Reid re: tool from NEIG discussed at last week's mtg. Mr. Murphy suggested that this be forwarded to the NEIG along with our request for same under certain conditions. Mr. Hart requested a report from Chief Reid on an accident which occurred in Town on Saturday, at which the Jaws of Life, had we had them, may have been very beneficial.

Item 14 - corres. from Timberland Machines - the Bd. agreed to forward a copy of this corres. to the Town Acct. also.

Item 22 - Board discussion re: corres. from NMAC re: "Small Cities Program" - the Bd. agreed to discuss same with Mr. Hannon this evening when they meet with him - this will be placed on the April 3 agenda for a vote, or for the April 10 agenda - the transfer station could be considered for this program - we will try to get some guidance from NMAC regarding same.

Item 19 - corres. requesting 1 Day Beer & Wine License at St. Vartanatz Church - Mr. Shanahan abstained from voting on same in view of his April 26 Point of Privilege.

Item 30 - corres. from Rep. Freeman re: support for Board's position re: Revenue Sharing Bill - the Bd. agreed to forward a copy of same to the Municipal Organizations.

Item 34 - corres. from Chief Germann informing the Board that Officer Charles Hadley is filing his retirement papers under ordinary disability. Mr. Murphy suggested that as a matter of policy, in the future, a certificate from the doctor be presented to the Town in retirement cases.

Item 35 - corres. from Chief Germann re: sick days due Norman Wellington - retired from PD on Jan. 1, 1977 - Mr. Lovering abstained from action on the AA's recommendation to accept the report and approve payment.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

Mtg. with CHA
re: Public
Housing
Application

At 8:45 PM a mtg. was held with the Chelmsford Housing Authority re: Public Housing Applications. Members present from the Housing Authority were: Mr. Harvey; Mr. Sheridan; Mrs. Delaney and Exec. Dir. Mr. Grant. The CHA is submitting an application for additional housing and requested the Board's support on same. Rehabing old bldgs. is the main intent behind the applications from DCA - the CHA suggested that the Quessy School, East School, or portion of the McFarlin School be considered. The application must be submitted by April 19 and by May 19 decisions will be made on to whom the funds have been granted. A STM would have to be held to approve use of the bldg. At this time, the building intended does not have

to be specifically named. On a motion by Mr. Shanahan, seconded by Mr. Murphy, it was unan. voted to have the AA work with the CHA and draw up a letter, including each and every item they feel is requisite for this type of grant, indicating our support of bringing elderly housing into the community and also indicating that we, at this time, do anticipate other buildings becoming available for this use and we do have in our possession at this time a number of bldgs. which may be made available for a specific proposal. Mr. Lovering stated that the Board of Selectmen have not necessarily ^{on record as} gone being in favor of the AHOP or the Land Use Plan. The AA will develop the letter with the CHA.

Mtg. with CHA
re: Public
Housing Appli-
cation
continued

At 9:10 PM the Board recessed for five minutes.

The Board met with Joseph Hannon of NMAC re: Area-Wide Housing Opportunity Plan. Mr. Hannon made a detailed presentation to the Board re: NMAC's AHOP and he requested that the Board support same. Mr. Hannon provided Board Members with data outlining the goals of AHOP - the Board is in receipt of corres. from the CHA & NMAC re: ways in which Chelmsford could participate and consider adjustment or establishment of provisions in the zoning bylaws. AHOP is a budgeting device for channelling State/Federal housing assistance in the area into the need. There are approx. 62,000 units in the region - of those units they have calculated about 12,500 have some form of housing need. 797 needs have been calculated for Chelmsford over the next ten years - most of which falls in the elderly category. Mr. Lovering informed Mr. Hannon that he feels that the Town will not adopt any changes in the zoning bylaws in conjunction with this plan. Mr. Hannon stated that he is not asking the Board to adopt the land use plan in AHOP. On a motion by Mr. Lovering, seconded by Mr. Murphy, it was voted four in favor, one opposed. Mr. Shanahan, it was voted to endorse AHOP in accordance with the requested (sample) letter from NMAC, with the understanding that this does not include an endorsement of the Land Use Plan.

Mtg. with NMAC
re: AHOP

Mr. Murphy stated that the BOS should take action re: Tn. Mtg. Warrant Articles - BOS should establish a dollar figure for the articles for drainage problems & sidewalks - we should do this next week; re: LRTA article, we are due back a report on pros & cons of same; re: RecComm - what are they proposing for the Master Plan; re: Varney Playground/Edward's Beach - article to abolish VPC - what progress is being made on improving the beach; re: article on acceptance of LaFayette Terrace, Mr. Murphy asked why this street is not in for acceptance with the others - the AA will look into this; re: putting dollar figure numbers on summary list - they should be inserted asap.

New Business

A mtg. will be scheduled with Chief Germann & our LRA re: shifts & cars, etc. in the near future.

Mr. Murphy noted that residents from Pineneedle Street were supposed to get answers to questions from several depts. which they have not rec'd. yet - we will request status reports from all parties concerned.

A water pipe was installed on Hunt Road last summer - in front of 184 Hunt Road the concrete etc. was not replaced & we will ask L. Rondeau to look at the permit to identify who asked for the permit, and if he inspected it - we will ask for an immediate report on this. Mr. Murphy will go to the premises with Mr. Rondeau, if he wishes, to show him the problem.

Mr. Murphy stated that the Board has not done anything re: rates or licenses for vendors, as an article was voted last year at TM - Mr. Shanahan apologized for not getting back to the Board on this item, and he explained that he has tried to meet with some peddlers; however, none of the peddlers would discuss same with him. Mr. Shanahan met with the Police Chief & Deputy Chief last Friday to discuss same and they will try to develop a working policy for same.

The AA will develop a list of street light requests by priority.

Mr. Shanahan stated that a law was passed some time ago by the COM re: Chapter 808 which indicated that all cities & towns in the State have to bring their local bylaws in compliance with State Statutes - within the next week or two the AA will contact the Town Cnsel. or appropriate State agency, as this must be complied with by June 30.

Mr. Hart stated that \$15,000 in the Stabilization Fund will be returned for the Fire Dept. after discussion with the FinComm last week. On a motion by Mr. Hart, seconded by Mr. Murphy, it was unan. voted to change our recommendation & put the \$15,000 back in the fund.

The AA will request the Hghy. Supt. & P. Bienvenu to research a severe drainage problem at Warren Ave & First Street & request written report with recommendations to alleviate same.

The AA will contact members of the CLRC for a mtg. April 1 at 10AM at the Dam site for a final inspection of the work by the contractor, etc. The Comm. will make a final inspection & offer their recommendation.

The Board agreed to request a report from the Chief of Police & Union informing the Bd. of their feelings on the operation of the cruisers (compact) we used this year, and request some input on whether or not they feel that some of the cars should be station wagons, as this makes it easier to transport people, etc.

Mr. Currier informed the Bd. that there will be a hearing on March 28 (today) before the Comm. on Natural Resources on a petition filed by Rep. Freeman on behalf of two residents of Westview Ave, to initiate a weed control and removal program at Baptist Pond.

Mr. Currier stated that as his term of office expires as of this meeting, it has been his pleasure to work with each member of the Board. Mr. Currier feels that he has gained something from each member of the Board. Mr. Currier enjoyed his year as Chairman of the Board, and he hopes to be back with the Board on April 4. Mr. Murphy thanked Mr. Currier for his contributions on the Board of Selectmen.

On a motion by Mr. Murphy, seconded by Mr. Shanahan, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:15 PM.

For the Board of Selectmen, by

Bonita Towle

Reorganization Meeting of the Chelmsford Board of Selectmen held April 3, 1978.

Members present were: Mr. Murphy; Mr. Shanahan; Mr. Lovering; Mr. Hart and Mr. Carson. Mr. Murphy, Vice-Chairman, chaired this portion of the meeting and called the meeting to order at 7:30 PM. Mrs. Haines, Adm. Asst., was also present.

Mr. Murphy welcomed newly-elected Selectman John W. Carson on behalf of the Board. Mr. Carson introduced his wife, Linda, and their two children. Mr. Carson was elected in the April 1, 1978 election.

At this point in time, Mr. Murphy requested nominations for the position of Chairman of the Board of Selectmen. Mr. Lovering nominated Mr. Murphy as Chairman - Mr. Shanahan seconded this nomination. There were no other nominations. Mr. Murphy was unanimously voted Chairman of the Chelmsford Board of Selectmen.

Mr. Murphy requested nominations for the position of Vice-Chairman of the Board

Mr. Currier
thanks Board
for coopera-
tion during
his term

Meeting
Adjourned

Reorganiza-
tion Meeting
April 3, 1978

John Carson
welcomed to
Board

Chairman
elected

Vice-Chairman
elected

of Selectman. Mr. Lovering nominated Mr. Shanahan as Vice-Chairman - Mr. Carson seconded this nomination. There were no other nominations. Mr. Shanahan was unanimously voted Vice-Chairman of the Chelmsford Board of Selectmen.

Mr. Murphy then requested nominations for the position of Clerk of the Board of Selectmen. Mr. Lovering nominated Mr. Carson as Clerk - Mr. Shanahan seconded this nomination. There were no other nominations. Mr. Carson was unanimously voted Clerk of the Chelmsford Board of Selectmen.

Mr. Shanahan informed the Board that the press had incorrectly reported that the Task Force re: future use of the former Middlesex County Training School had selected a real estate broker and/or consultant re: marketing of that property - the real estate broker and/or consultant has not been appointed to date.

Mr. Carson stated that he is very pleased to be a member of the Chelmsford Board of Selectmen and he hopes that in his three years as a member of the Board he will meet the high expectations of the Townspeople.

Mr. Lovering informed the Board that Saturday, April 8 is Youth for Recycling Day in Chelmsford - a packet including info. about the Recycling Program will be delivered to each home in Town prior to the commencement of the Program on April 24. Mr. Lovering encouraged the Townspeople to read the information - additional packets will be made available in the Selectmen's Office & Town Clerk's Office.

Mr. Hart informed the Board that the Crystal Lake Restoration Committee met at the dam site on April 1 and will forward the Board a final report in the near future.

The AA reminded the Board that the Mid.County Cmsnrs. will hold a Public Hearing on the Graniteville Road Layout on April 4 at 10AM - Mrs. Haines and Paul Bienvenu will attend.

The AA reminded the Board of a ribbon-cutting at Gino's at which time Mr. Murphy will accept a check for the Scholarship Fund from Gino's on behalf of the Board, at 10:30 AM on April 4.

The Board held on appointment of an Election Worker in Precinct 4.

In view of the fact that no Board Members had volunteered to serve as the Board's rep. on the Mid. County Advisory Board, Mr. Murphy offered to serve as the Rep. The Board agreed with his appointment.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Steven Chadwick, Hornbeam Hill Road, as CETA Custodial Watchman at the specified salary at the East School under the RecComm (Item 15, corres. sum).

The Board discussed the Small Cities Program - they agreed to ask the Exec. Dir. of the NMAC for recommendations for same for the Town of Chelmsford - the application must be filed by May 15 and two public hearings are required.

The Board discussed Vendor's License and item 32 on the corres. sum. - the Board agreed to hold on same until 4/10 - Mr. Shanahan will meet with the Police Dept. and provide the Board with recommendations re: procedure and fee for same.

The Board is awaiting a reply from Chief Germann re: Capital Improvement Plan - they will hold on a final vote on same until 4/10.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the Job Description for a custodian under the CETA Program at the Senior Citizens' Drop-In Center.

Reorganiza-
tion Meeting
continued
Clerk
Elected

Board Reports

Adm. Asst.
Reports

Unfinished
Business

Unfinished
Business
continued

The Board discussed full-time Clerk in the Veterans' Agent's Office. Mr. Hart stated that due to the confidentiality involved in this position, he feels that a full-time Town Employee would be more beneficial in the Office than a CETA employee. On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to recommend to the FinComm that a full-time Town Employee should be hired in the VA's Office - the Board will participate in the interview process for same.

The Board discussed full-time Clerk in the Building Inspector's Office. Mr. Hart stated that there presently are three employees in the Bldg. Insp's Office - one full time employee (Mr. McHugh) and two CETA employees (one Asst. BI, one Clerk). On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to recommend to the FinComm that a full-time Town Employee should be hired in the Bldg. Insp's Office - the Board of Selectmen will participate in the interview process for same.

Re: the above two positions, the Board unan. voted, on a motion by Mr. Lovering, seconded by Mr. Hart, to request the Lowell CETA Dir. to approve the extension of the present clerks (CETA) in the Vet. Agent's Office & Bldg. Insp's. Office until after Town Meeting until the end of the Fiscal Year.

Bid Opening-
Transporta-
tion-Golden
Buccaneers

At 7:45 PM Sealed Bids were opened for Transportation for the Golden Buccaneer's Drum & Bugle Corps - there were two bids as follows: Marinel Transportation, Ward Way, North Chelmsford: 44 passengers-\$58; 48 passengers-\$61.50; 47 passengers-\$70; Niagara Trans. in Tyngsboro: \$425 total for 5 locations. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to forward the bids to the PA & RecComm for review & recommendations for award.

Corres.Sum.

Mr. Murphy informed the Board of the following amendments to the AA's recommendations on the Corres.Sum: item 9 - request report from HD & Engineering Consultant; item 21 - hold for 4/10 mtg. for report from AA; item 32 - Board discussion.

Item 30 - Mr. Murphy requested that when responding to the ConsComm re: denying request for extension of CETA employee, we should forward letter which contains Lowell's decision on not extending these positions unless they are to be picked up as permanent employees through Town Meeting - the AA informed Mr. Murphy that this is her policy already.

Item 18 - corres. from Senator Amick re: bill for elimination of county government - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to endorse the bill itself.

Item 19 - corres. from the Pres. of the MLC&T re: availability of automated Labor Relations Service - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to request our Labor Relations firm, Murphy, Lamere & Murphy, to examine the proposal and forward the Board their disposition on same prior to the Board's taking a vote on same - the costs would be approx. \$825 per year.

Item 33 - Board discussion on corres. from Mrs. Waitt of the Senior Citizens' Club re: Chelmsford bus trips for Town residents only - this relates to item 13 also. Item 13 is a request from the Chairman of the COA requesting that a policy be enforced which would insure that only Chelmsford residents could participate in trips for the Sen. Cit.-as they are subsidized in part by Town money. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was voted three in favor, two opposed- Mr. Carson & Mr. Lovering, to establish a waiver of the residency requirement for the Executive Officers of the Sen. Cit. Club. Mr. Lovering felt that the Board should refer the matter back to the Sen. Cit. themselves, in view of Mrs. Bishop's corres. Mr. Carson felt that the Board should not make exceptions in any case in this matter.

Item 32 - corres. from Mr. Liguori re: vendor's license - the Bd. agreed to hold until 4/10 for the AA's report.

Corres. Sum.
continued

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the March 28 Selectmen's Meeting.

Minutes
Adopted

At 8PM the Board met with David Berkley and Richard Carnosioro to discuss damage to the Little League dugout by plows during Feb. 6 blizzard. Mr. Murphy informed the men that the Board would request a hold on this item in order that the AA may determine if someone within the Town could repair same at a reasonable rate before the season starts in two weeks. The Little League had an estimate of \$1,300 to repair same.

Meeting with
Little League
re: damage to
dugout

Mr. Carson informed the Board that he received a call in the office this evening from Mrs. Mellon, 69 Riverneck Road re: drainage problem. On a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to request the Hghy. Supt. to inspect the water problem across from 69 Riverneck Road and forward the Board with written recommendations to alleviate same.

New Business

On a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to announce the names of committees, boards, commissions, etc. to which the Board will be making their annual appointments in the upcoming month - this will be accomplished via a Press Release indicating that the Board will appoint various committees & the Board welcomes citizen participation.

Mr. Lovering informed the Board that he feels that a mtg. with all depts. who will deal with aerial mapping should be scheduled - Planning Board, Conservation Commission, Board of Assessors, BOS, etc. The mtg. should be scheduled for some time after the Annual Town Meeting. Mr. Lovering suggested that the AA & Town Clerk work out some type of procedure for making the maps available to residents - the Town Clerk could stock 2-3 copies of each of the 140 sections for sale to the residents, at a cost of \$3 to \$5. Mr. Lovering will provide the Board with a sample of the maps for their review.

Mr. Hart informed the Board of a junk car in the vicinity of the Harrington School on Richardson Road. The Board agreed to request the Police Dept. and Building Inspector to inspect same and have it removed from this area.

Mr. Murphy requested that the PD investigate a parked car on North Road which has been there since the storm - is it on Town property - it is at the intersection of North Road & Worthen Street - same should be removed if it is on Town property.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting adjourned at 8:20 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita T. W. C.

Regular Meeting of the Board of Selectmen held April 10, 1978. Members present were: Mr. Murphy; Mr. Shanahan and Mr. Lovering. Mr. Carson requested that the Chairman read a letter to the Board at the meeting indicating that he and his wife are out of Town on a long-awaited post Campaign vacation - Mr. Murphy read the letter. Mr. Hart was ill and therefore was not present for the meeting. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy opened the meeting at 7:35 PM with a welcome

Members
Present

on behalf of the Board of the Chelmsford High School Foreign Language Department Students. Mr. Murphy explained our form of Government and the Board's agenda to the students from LeMans, France - each student was presented a Certificate for attending the meeting.

At 7:45 PM the Board voted, ^{unan.} on a motion by Mr. Shanahan, seconded by Mr. Lovering to open a single bid for Data Procession Services for the HRAC - bid was as follows: Ready Associates, Chelmsford: first line item-\$1,500 - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to refer the bid to the PA & HRAC for review & recommendation for award.

Sealed Bids were opened for Police Cruisers as follows: Jim Witt Pontiac, Lowell- 6 new Pontiac Catalinas for PD & 1 Catalina for Fire Dept - 6 for PD-\$34,184.82; 1 for FD-\$5,093 - a trade in as a supplement was also offered for \$500 on a 1975 Chev. Impala; Colonial Chevrolet, Chelmsford - 6 1978 Nova 4-door Sedans for PD-\$28,579.68 plus a trade in - 1 1977 Chev. Impala, 4 1977 Novas; Colonial Chevrolet, Chelmsford - 6 Chevrolet Nova four-door sedans - \$28,279.68 - with trade of 1 76 Impala & 4 Novas & 1 1975 Chevrolet Sedan. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to take the bids under advisement and refer same to the PA for recommendations for award.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to open a single bid for a Fire Dept. Sedan - bid was as follows: Colonial Chevrolet, Chelmsford: \$5,144.39. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to take the bid under advisement & refer same to the PA for recommendations.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to open a single bid for a pick up truck for the Park Dept. Bid was as follows: Colonial Chevrolet, Chelmsford - \$5,602.85. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to take the bid under advisement & refer same to the PA for recommendation for award.

At this time, Mr. Murphy provided the bids to the PA in order that interested bidders may review same in the outer hall.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Sel. Mtg. held April 3.

Mr. Shanahan reported on a mtg. held last week at the Mid. County Court House re: lay out of Graniteville Road - all three County Commissioners were present, and Mrs. Haines & Paul Bienvenu & Mr. Shanahan represented the Town. Mr. Bienvenu made a presentation on behalf of the Town - the County Cmsnrs. voted unan. to approve the layout. The AA has a summary of what the Town must now do re: appraisals for the land to be taken.

Mr. Lovering reported that Saturday, April 8 was Youth for Recycling Day - he thanked Mrs. Haines, Miss Towle, Ms. Rusty Carroll, Mr. Walter McNamara & Mr. Joseph Maher for their help in assisting the volunteer groups - Camp Fire Girls, Girl Scouts, Boy Scouts, 4-H Club, ^{brownies} and other volunteers & interested citizens who delivered the Recycling Packages to homes in Town. Some homes did not receive the package, and therefore, the packages will be placed this week, in stores in Town so that people can take the kit after they shop. The program will start April 24 - Mr. Lovering thanked the Envir. Adv. Council for their work in the past which contributed to the commencement of this program. Mr. Lovering also thanked Auto Snack Caterers for the donation of doughnuts; The Banqueteer for the Coffee; Purity Supreme for the tonic; Chelmsford Elks for the ice and Gene's Ice Cream for the ice cream.

A meeting was held with Douglas Murray, Director of SHARE, Inc. to discuss the program. Mrs. Marion Yonge, Alternate, Mr. Donald Butler & Mr. Edward Fallon-reps. of the Town were also present. Mr. Murray had previously furnished the

Welcome
Foreign Lan-
guage Stu-
dents

Bid Opening-
HRAC

Bid Openings:
Police Crui-
sers; FD car;
Park Truck

Minutes
Adopted

Board Reports

Mtg. re: SHARE

Board with info. re: services & costs. Some concerns were raised re: use of the former MCTS in the future, programs at that facility, etc. Two programs exist for Chelmsford--Anabasis House for young adults and the other is the SHARE emergency shelter - 75% of the people come from Lowell/Lawrence area, the remainder come from greater Boston area--this is at the Anabasis House; at the emergency shelter, 85% come from the greater Lowell/Lawrence area and the remainder come from the Greater Boston area. The other programs not in Chelmsford are Morningstar Counselling Program, Methadone Clinic - the allocations from Chelmsford, Tewksbury, Westford, and Wilmington are used for parts of the program not funded by the State or Federal government criteria. The Town allocation is used for school support services; Chelmsford residents have priority for treatment; and they are not required to pay direct fees. The City of Lowell does not fund the program but they do derive the benefits, a number of towns do not fund the program also. Cost is 75¢ per capita - the facilities at North Chelmsford do not treat drug addiction with drugs at those locations--no methadone. Mr. Murray stated that in one instance, a resident of one of the facilities was an inmate and a situation did occur which involved the Chelmsford Police Dept. - other than this, there have been no other instances of this type. Mrs. Yonge gave the Board her views on the program - she feels that much progress has been made and the program is very worthwhile and run well - Mr. Butler concurred with this. Over the past year, out of a total of 17 meetings, Mr. Murray informed the Board that Mrs. Yonge has attended 14 meetings; Mr. Butler & Mr. Fallon have not attended any meetings. Mr. Fallon took this opportunity to inform the Board that he has not attended the meetings in view of the fact that he philosophically does not agree with some of the SHARE policies - Mr. Fallon chooses not to serve in this capacity any further. The AA will research the records on the alternate prior to the Board's annual appointments.

Mtg. re:
SHARE with
Dir. D. Murray

At 8:15 PM a Public Hearing was scheduled for the Street Acceptance of Higate Road (Extension). All Return Receipts were received from residents & abutters. Mr. James Rich represented Atty. Geary, counsel for Hitchin' Post Realty. A portion of Higate Road was accepted last year by the Town. The turn around is now paved & enlarged - the Fire Dept. has approved same, as well as the Hghy. Dept. for plowing & turning around. The bond was released by the Planning Board on Nov. 15, 1977 - Mr. Nyquist will be asked to forward a report on same. No one was present to speak in favor or opposed to the acceptance. We are awaiting report from L. Rondeau & J. Bienvenu on acceptance of same. Mr. Rich stated that there is a technical defect on the plan - this will be corrected by Mr. Geary's office through the engineer, to indicate the easements. The hearing was closed at 8:29 PM.

Street Ac-
ceptance
Hearing-
Higate Road
(Extension)

At 8:30 PM a Public Hearing was held on the Street Acceptance of Industrial Ave. All Return Receipts were received from residents & abutters. One abutter, Ms. Louise Oczkowski of Billerica Road was present on behalf of her parents - the AA will forward the Oczkowski's a copy of the plan, per request of Ms. Oczkowski. Mr. Carye who petitioned the st. acceptance was not present. Mr. Shanahan stated that he does not appreciate the fact that the petitioner is not present, as the BOS are not experts in this field. Mr. Carye was notified by Cert. Mail of this hearing. Mr. Bienvenu informed the AA earlier in the day that he suggests that the full extent of any drainage easements be on the plan. The Planning Bd. informed the Bd. that no bond money is being held on this street. We are awaiting report from the Hghy. Supt. & J. P. Bienvenu. The hearing was closed at 8:41 PM.

St. Acceptance
Hearing-Indus-
trial Ave.

Mr. Murphy reported on assignments for articles for the BOS re: 1978 ATM Warrant--the Bd. will review same. A mtg. has been scheduled with the FinComm to review the warrant articles on April 20; also, a viewing of the HD equipment to be replaced - Mr. Murphy will rep. the Board this Sat. if this can be arranged. Additional questions re: bylaw re: family will be researched by AL; acceptance of the Roby Trust will be researched by JS; WM will look into the Insurance Advisor.

Bd. Reports

Mr. Murphy reported that the MCAB held a budget hearing last week which Mr. Murphy could not attend as the Bd's Rep., due to some personal commitments. He intends to attend any further mtgs. for which he receives adequate notice.

St. Acceptance
Hearing-New-
towne Way

At 8:45 PM a Public Hearing was held on the Street Acceptance of Newtowne Way. All Return Receipts were received. Dr. Gerald Bousquet, one of the developers was present. Dr. Bousquet stated that the street was approved by the Fire Chief & Planning Board Engineer - we awaiting report from J.P. Bienvenu & L.Rondeau. Mrs. Haines informed the Bd. that the plan submitted is a preliminary plan, not an as-built plan as specified by the SA Rules & Regs; there is no stamp on the plan from the Surveyor; there are no linens - these comments were provided by Mr. Bienvenu earlier in the day. The bond was released by the Planning Board on Oct. 26, 1977. The Bd. agreed to forward these items to Dr. Bousquet - in addition, the description does not match the plan, info. under #1 does not contain the correct description; no bounds show a set; drainage not shown complete; drainage easements should be to full extent, if any; there are no grades or profiles; no drainage grades. No one was present in favor or opposed to the acceptance. We will further additional documentation from Mr. Bienvenu to Dr. Bousquet. The hearing was closed at 8:51 PM.

Unfinished
Business

The Board agreed to hold on the AA's report on LRTA until the full Board is present on 4/18/78.

AA Reports

Mrs. Haines informed the Board of status of st. acceptance of LaFayette Terrace. In July of 1977 a letter requesting same was received. Mrs. Haines has been communicating with residents of the street requesting plans, profiles & legal descriptions - they are not available in view of the fact that the developer, we were advised, filed for bankruptcy several years ago. The estimate for the plans, profiles & legal description is \$1,200 and there are only six families on the street. The Board agreed to place this in the STM Folder for a warrant article to approp. funds for the plans, etc.

Mrs. Haines reminded the Board that the first negotiation session for the Town Hall Union will be on April 12 at 1PM - Sel. Shanahan is the Board's rep.

Unfinished
Business
continued

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Nancy Firth, 15 Oak Knoll Ave. as election worker in Prec.4 at the specified salary.

The Board discussed their representative to the Drug Abuse Committee - Mr. Shanahan stated that as Mr. Carson is not present, he would like to give him an opportunity to fill some of the Board's vacancies as reps. on committees and Boards - he suggested that the Board hold on this appointment until 4/18, in order that Mr. Carson may consider same; however, if Mr. Carson or another Bd. Member does not wish to accept this appointment, Mr. Shanahan will accept same.

Mr. Murphy volunteered to serve as the Board's rep. on the Senior Citizens' Drop-In Center Committee until the Center is open. The Bd. concurred with same.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint the following persons as CETA Laborers in the Hghy. Dept. at the specified salaries: Edward Murphy, 34 Gorham Street; Paul Martinage, 181 Princeton Street; James S. Carroll, 19 Pleasant Street, upon recommendation of the Hghy. Supt.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Steven Mann, Chelmsford to the position of Truck Driver for the Recycling Truck at \$5.11 per hour, upon recommendation of the Hghy. Supt.

The Board discussed the Small Cities Program - we are awaiting input from NMAC on projects we may consider. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to have the Planner draft four proposals as follows: expanded program at the Youth Center; Elderly Food Program at McFarlin; Housing Assistance in conjunction with the CHA; and paint-up program similar to Newburyport's, whereby the paint is supplied.

A mtg. was held at 9PM with the Home Rule Advisory Committee re: charges of the committee in the future. Mr. Murphy noted that all of the Board's questions this evening may not be answered, in view of the fact that Sel. Hart is not present - the comm. may be invited to attend another mtg. should this be the case. Members present were: J.P.Gravell; C.Seminatore; M. Duff; D.Valdinocci; C.Spear; R.Burt and Clerk J. Higgins. Mr. Murphy thanked the HRAC for their services and dedication in projects that they have completed to date. Mr. Murphy asked Mr. Gravell if any new expansion of the committee was intended - Mr. Gravell stated that in 1963 some rules were established but never officially adopted by the Board, they were: to advise on pending legislation; originate suggestions re: legislation; no restrictions. Some regulations established in 1972-73 are being reviewed by the HRAC now re: legislation, bylaws, warrant articles, studies, etc. Special projects have been worked on, in addition to lobbying on Legislation, rent control, rest home safety, voting machines, appd. committee handbook, water pollution, etc. On a yearly basis, the HRAC will poll the BOS to see how the Bd. feels the priorities of the committee are progressing. The Bd. has not received a letter to date from the HRAC, which Mr. Valdinocci stated we should have received, re: legislation and use of the Legislative Bulletins each month. Mr. Murphy suggested that in addition to committees who receive the Legis. Bulletin, the Chairman of the School Comm. should receive same. The HRAC, after this mtg., will meet briefly with Sen. Amick in the outer hall to discuss legislation. Mr. Valdinocci stated that the HRAC has also started to review the Town bylaws and articles for Town Meetings. Mrs. Seminatore asked why Sel. Hart was concerned about the committees charges - Mr. Murphy stated that any concerns Mr. Hart has will have to be conveyed to the HRAC by Mr. Hart himself.

Mtg. with
HRAC

At 9:15 PM a meeting was held with Senator Carol Amick re: legislation. Sen. Amick stated that she has assisted the Council on Aging ^{applying} in for State funds to equip the Sen. Cit. Drop-In Center - \$2,800 was requested, and they will receive almost all of the funds which they requested. This was requested through the Elderly Affairs Dept. Also, Sen. Amick will file a late-file bill on April 11 requiring that ^{when} any County Commissioner sells or leases county-owned property in a community, they must notify the Chief Officers 120 days before the sale or lease and they must hold a Public Hearing 90 days before the sale or lease. Although this will probably be filed too late to help out the Town re: MCTS, the Board concurred with the Legislation. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to endorse the concept of Sen. Amick's bill - the intent of it making an endorsement by this Board might be an indication to the County Commissioners that we are very much concerned and we would like this other avenue available to us with regard to the MCTS - Mr. Murphy suggested that Sen. Amick attempt to add an emergency preamble to this bill.

Mtg. with Sen.
Carol Amick
re: legisla-
tion

At 9:30 PM a meeting was scheduled with Robert Crowe, Esquire, of the Labor Relations firm of Murphy, Lamere & Murphy, the Town's LRA re: Fire Negotiations - Mr. Murphy stated that this mtg. will in all probability be held in Exec. Session, as well as a matter re: property & the ConsComm. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn to Exec. Session at 9:30 PM to discuss strategy with respect to collective bargaining and also to discuss purchase, exchange, lease or value of real property as cited by the Statute - Roll Call Vote was as follows: Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Murphy-Aye.

Mtg. with LRA

Adjourn to
Exec. Session

At 9:56 the Board reconvened to the Open Meeting.

Return to
Open Mtg.

The HRAC met with the Board briefly again. Mr. Gravell informed the Board that he would like to discuss the wording of article 27-separate Town Meeting - we will have to check with Town Counsel to determine if the article can be reworded to be consistent with the intent of the Committee - if not, the HRAC suggests that the article be withdrawn from the ATMW and re-submitted in the STMW. Anything further will be discussed at a work session.

Mtg. HRAC
continued

Unfinished
Business
continued

The Board discussed an application form & license form for Vendor's License, as required by an article voted at the 1977 ATM. Mr. Shanahan, after meeting with reps. of the CPD, drew up some wording for the licensing of same and provided Board Members with a copy of same for their review. The license & application would contain the following info: type of merchandise to be sold, dates & time of sale, location, town-owned or private property, signature of land owner, etc. Fee would be \$10 per license. The Board agreed to hold on vote on same until the full Board is present on 4/18/78. Mr. Al Liguori addressed the Board re: his request for a license - he would like to sell flowers prior to May 10, and Mr. Lovering suggested that the office develop an advance copy for his application for same, in view of the time restraints.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Esther St. Cyr as a CETA Clerical Aide in the School Dept. at \$3.56 per hour upon recommendation of Mr. George Simonean.

The Board agreed to hold on Capital Improvement Plan until 4/18 - changes have been made by the Cons.Comm; Fire Chief's (second car for Dept.Chief); Police Dept. re:rapid photo printer vs. motorcycle.

Corres.Sum.

Item 10 - corres. from ConsComm re: permission to contact Town Counsel-the Bd. approved this by priority correspondence to the ConsComm.

Item 12 - corres. requesting Beer & Wine License for St. Mary's Monte Carlo Night - Mr. Shanahan abstained from voting on same in accordance with his April 26, 1977 point of privilege.

Item 17 - corres. from counsel for DeMatteo Constr. Co. re: payment - the Board agreed to await report from Mr. Polubinski, Chairman of the CLRC - this will be placed on the 4/18 agenda.

Item 19 - corres. from the Tree Warden re: tree at St. Vartanatz Church on Old Westford Road - Mr. Shanahan suggested that in the future, the wording of the Tree Warden's reports be more specific. Mr. Murphy explained the history of this matter - the Church asked that a determination be made as to whether or not certain trees were on Town owned or private property-the intention being that they would be removed to improve the driveway visibility. The BOS has no intention of removing the trees-if the Church would like to pay for same they may be removed in the future. One tree they can take down, as it belongs to them, the other is a pole, not a tree;however, the large tree appears to be Town-owned and requires a hearing. It is now up to the Church to pursue same.

Item 24 - corres. from Roger Coutu re: extension of Veterans' Agent Clerk - the AA will forward Mr. Coutu a letter explaining that it is not definite that the Town will approve absorption of the Clerk until Town Meeting action is taken-the AA will clarify this matter.

Item 25 - corres. from Wallace MacQuarrie, Exec.Sec.of the Westford BOS re: Veterans' Agent, informing the Bd. that at the present time it is not possible to form a consortium for Vet.Agent. The Board agreed to forward a copy of this corres. to the FinComm for their records.

Item 30 - corres. from Dr. Rivard requesting two CETA Cafeteria Aides at Chelms. High School - on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to hold on this item pending additional info. from Dr.Rivard re: back-up as to how many aides we currently have; how many more are anticipated; and request more substantiation as to the need for these positions.

Item 31 - Mr. Shanahan pointed out that the correct spelling of the writer's name is Cicco.

Item 35 - corres. from Mr. Brumagim, a member of the NVTHSC - Mr. Shanahan stated that when he brought up the admission policy re: Nashoba, it was not intended to cloud the issue, or confuse the issue - a statement of need has been presented by the School Comm. re: demand for voke education and not ample facilities to provide same. Admissions to the School coincide very well with the need for voke ed., Mr. Shanahan stated, and he does not see how the NVTHSC could consider that as something to cloud the issue.

Corres. Sum.
continued

Item 40 - corres. from Town Aide re: donated funds program - Mr. Murphy stated that the Dept. of Public Welfare is at its maximum level for ^{Federal} reimbursement & is not accepting any proposals. Ms. Robinson will continue to press for same & will keep the Bd. informed of the status.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

Mr. Lovering informed the Board that he was approached by Mr. Sunny Newcomb of the Chelmsford Royal C B'ers re: use of the Seal. He provided Mr. Lovering with a sample of the seal as they now intend to use it, for the files of the Sel. Office.

New Business

Mr. Shanahan stated that when Mr. Lovering started working on the data re: Recycling Program, Mr. Shanahan had publicly questioned the distribution of the info. by the young population - Mr. Shanahan stated that he wanted to admit his wrong, and he is very pleased to see the program progressing so well.

Mr. Murphy requested that we ask the Hghy. Supt. to place some type of surfacing at the Rail Road Tracks in the Center, as the bolts are showing through the paving.

The Board agreed to ask the BI what the disposition is of a barn on Pine Hill Road which is in an advanced state of deterioration-should the bldg. be dismantled or razed, as it presents a safety hazard.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:20 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita [Signature]

Regular Meeting of the Board of Selectmen held April 18, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson and Mr. Lovering. Mr. Hart was ill and was not present. Mrs. Haines, Adm. Asst. was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Members
Present

On a motion by Mr. Shanahan, seconded by Mr. Carson it was unan. voted to proclaim April 24--28 as Recycling Awareness Days.

Proclamation

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the meeting April 10 and Exec. Session held April 10.

Minutes
Adopted

Mr. Shanahan reported on a 'mini Town Meeting' held last Thursday attended by Sel. Murphy & Shanahan sponsored by the Chelmsford Business Association at which time several subjects dealing with warrant articles were addressed.

Board Reports

Mr. Shanahan informed the Bd. that he and Sel. Murphy and Mrs. Hughes & Mr. Edge of the FinComm inspected Highway Dept. equipment which will be traded-in or replaced-certain questions were asked to be resolved by the HD prior to Town Mtg. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to instruct the PA to rent 2 street sweepers next year with our own personnel manning them & sell the two now well-used sweepers for the highest price.

Board
Reports

Mr. Shanahan reported that the Task Force on the future use of the former MCTS will hold what would appear to be its last mtg. on April 20 at the Multi-Service Center on Princeton Blvd.

Mr. Carson asked the AA if she had requested a report from the HD on a matter which he brought up several weeks ago re: drainage problem on Riverneck Road - the AA informed him that she thought that it had and she would provide him with a copy of the memo.

Mr. Lovering stated that the Recycling Program will commence on Monday, April 24 and he requested that all residents participate in same.

Mr. Murphy reported on a mtg. held last Wednesday with reps. of Medic & American Ambulance - contents will be held in confidence - the AA will communicate with persons dealing with ambulance service in the three hospitals (emergency rooms) and seek additional input on service from same. Hopefully, we will have a written or oral report on same for 4/25.

Mr. Murphy has not rec'd. any input from Bd. Members re: problems with warrant article assignments to date. Also, re: budget assignments, Mr. Carson was assigned several budgets and Mr. Murphy assigned himself to several additional budgets. Mr. Murphy stated that there is also a need to update the Board's position on warrant articles before Town Mtg.

Adm. Asst.
Reports

The AA reminded the Board of a mtg. with the FinComm on Thursday at 7:30 PM to review warrant articles, & mtg. with Police Dept. on Wed. at 7:30 to discuss bidding.

Mrs. Haines requested that the Bd. accept the resignation of John Larson as Town Planner - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to accept the resignation of Mr. Larson as Town Planner under the CETA Program - she is in receipt of a written resignation from Mr. Larson.

Unfinished
Business

Mr. Shanahan was appointed as the Board's rep. on the Drug Abuse Committee.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Ernest Woesner and Gary McCarthy as Police Officers in the Town of Chelmsford at the specified salary, upon recommendation of Chief Germann. Mr. Woesner lives in Acton and Mr. McCarthy lives in Dracut - of the five top names on the Civil Service list, none of the applicants reside in Town.

Bid Openings:
Brush Chip-
per & Hghy.
Equipment

At 7:45 PM the Board opened and read aloud the following bids which were all, on a motion by Mr. Shanahan, seconded by Mr. Carson, unan. voted to be referred to the Purchasing Agent and Highway Supt. for recommendation for award:

Brush Chipper - on a motion by Mr. Lovering, seconded by Mr. Shanahan it was unan. voted to open single bid as follows: Paul Fontaine for rental of chipper at \$120 per day; on Sat. \$10 per hour - total \$720;

Truck Chassis: Jim Peirce Ford World-\$9,874; Taylor & Loyd, Inc-\$14,180; Warren McCarthy Inc-\$12,999;

Dump Truck: Warren McCarthy Inc-\$16,784.68; Taylor & Loyd, Inc-\$13,354; Jim Peirce Ford World-\$11,021;

Spreader: C.N. Wood-no bid; J. Gregory & Son-\$4,663; Dyer Sales & Machinery Co-\$5,420; Casey & Dupuis-\$6,161;

½ Ton Pickup - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to open the single bid as follows: Jim Peirce Ford World:\$4,103;

1 Sidewalk Snow plow tractor-bid was as follows: Timberland Machines-\$18,471;

Front End Loader: J. Gregory & Sons - no bid; E.K. Willard Inc-\$27,500; CN Wood-no bid; Casey & Dupuis-\$29,704; State Equipment-no bid; CW Equipment-\$27,400;

2 snow plows: Anderson Engineering - \$1,930 each; Dyer Sales & Machinery-\$2,095 ea; J. Gregory & Sons-no bid; Casey & Dupuis-\$3,600 for two;

Sweeper broom - J. Gregory & Sons-\$37,180; Casey & Dupuis-\$29,940;

1 Air Compressor-Quincy Compressors-\$8,289; Ingersoll Rand Equip. Corp-\$8,034.

At 8PM a meeting was held with members of the Dept. of Public Works Study Committee to discuss the Study Report provided by the consulting firm of Charles Evans Associates. Members present were: Gerald Silver, Robert Monroe, Henry McClean, and Richard Russell. Mr. Silver provided the Bd. with an agenda for discussion this evening and 26 recommendations by the consultant which were reviewed in detail. The major areas in which recommendations were made were in the areas of Public Works and Highway management-they recommended establishment of a Public Works Advisory Council-there are other recommendations for creation of a Dept. of Natural Resources. Mr. Murphy asked the comm. if they would address the area of the Tree Warden being appd. rather than elected-the comm. has no objection to the BOS exploring this. This mtg. will be continued after the Bd. meets with Mr. Arnold Katz re: fire lanes.

Mtg.with
DPWSC re:
consultant's
report

At 8:15 PM the Board met with Arnold Katz re: compliance with the Town's request to post "No Parking" signs in the fire lanes - thus far we have obtained approval of Purity Supreme and the Chelmsford Mall; to date, we have not heard from Katz Carpet, DeMoulas Supermarkets; and J.M. Fields informed the Bd. they will comply only if this is a Town ordinance. Mr. Katz apologized for not acknowledging Town Counsel's previous inquiries to him regarding this matter. Mr. Katz stated that his main concern is aesthetics. Mr. Katz suggested that in the future to insure that there is sufficient room for emergency vehicles in parking lots in Town--the Planning Board may require a specific number of parking spaces to alleviate the problem. Mr. Shanahan gave the Board a brief history of this problem in the past six months, and he thanked Mr. Katz for attending the meeting and offering his comments. Mr. Katz was also concerned with the rights he would be giving to the Town, as he has to think of his tenants. Mr. Shanahan stated that the enforcement of the signs would in all probability be taken care of by the regular officer on duty in the center. Mr. Katz stated that he is willing to go along with the Town's request to have "No Parking" signs in his shopping center on Summer Street and will forward the Bd. a letter indicating same-Mr. Katz suggested that signs be printed on the ground, or areas could be crossed out with an 'x', and at the entrance to the centers a proper, aesthetically pleasing sign could be installed stating that there is a parking restriction in the fire lanes which will be enforced. Mr. Shanahan volunteered to act as the Board's rep. to meet with Mr. Katz to discuss the matter further to develop signing which both the Town & Mr. Katz will approve - Mr. Lovering suggested that Mr. Shanahan pursue Mr. Katz' suggestion re: painting signs & entry signs on the ground & at the entrances to the centers.

Mtg.with A.
Katz re:
fire lanes

At this time the Board continued its 8PM discussions with the DPWSC. Mr. Silver stated that the article in the warrant is not the way it was submitted originally to the Board, and the explanation is omitted - Mr. Murphy stated that the Bd. is aware of this and will vote to amend same on Town Mtg. Floor. Mr. Lovering stated that philosophically, he has a very positive response to the report but he questions whether or not the BOS or FinComm had intended to move, at this year's TM for the implementation of the report & recommendations as Mr. Silver is suggesting - Mr. Murphy stated that the amendment to change it does not include an endorsement for the article or the recommendations. Mr. Lovering feels that the BOS should take a definite period of time to review the ramifications of the recommendations. Mr. Silver stated that the FinComm unan. endorsed the report, and whatever work would be implemented through the members of the PWAC would be accomplished through the Selectmen's Office-Mr. Murphy informed Mr. Silver that the Sel. Office does not have unlimited resources. Mr. Murphy stated that in view of the Board's concern about implementation of the report, the article could be re-addressed at the usual Fall Town Meeting. Mr. Silver then addressed item 2B on the recommendations-Supervisor, Plan. & Central Op-although this is not in the article, Mr. Silver feels this is quite important-Mr. Lovering stated that position is really in the nature of a foreman within the existing Dept. & we already have a category under Art. 2 for that position; further, Mr. Lovering does not feel that a CETA employee would be the right choice for the job. Re: 2C-Professional

Mtg.with
DPWSC
continued

Mtg. with
DPWSC
continued

Services Required, this is something which is coming from the committee, not the recommendations of the consultant - Mr. Murphy stated that no funds have been appropriated in anyone's budget for same yet - Mr. Silver stated that item 93 of the HD could be changed to professional & engineering fees - Mr. Lovering is concerned that it may not be amendable, Mr. Lovering was under the impression that the FinComm & BOS would go to the Townspeople through an article for engineering service funds, and not as a line item. Mr. Murphy stated that out of the Fed. Rev. Sharing Funds, there are some \$20,000 for preliminary project study, which might be associated with this. ^{Re: item 2F - begin Town-wide Capital Planning, Mr. Silver} asked with regard to Art. 14 of the ATM Warrant, (purchase of Hghy. Equipment) perhaps the BOS should re-evaluate this equipment & need for same - Mr. Murphy agreed that a planned program for replacement would be beneficial. Mr. Shanahan informed Mr. Silver that careful consideration had been given to purchase of this equipment, and he and Mr. Murphy inspected same this past weekend - trade-in vs. purchase was and will be carefully weighed. Mr. Murphy stated that the Bd. needs time to review the immediate changes, and if necessary, adopt a position on the 26 items, then get back to the DPWSC at a later date. Mr. Lovering stated that his comments are in the nature of constructive criticism and he feels that the Town needs time to analyze how the recommendations will be implemented. At this point in time the Board reviewed the summary of study recommendations with the DPWSC - 1) implementation through warrant article ^{to create Pub. Wks. Council} Mr. Lovering suggested that the BOS form the Council, not the Town Meeting - Mr. Silver did not agree with this; 2) HD-revise supervisory level - Board of Sel; 3) HD-mgmt. training for supervisors - Dept. Head; 4) HD-staff new supervisory position - Board of Sel. not Pers. Board; 5) HD-manpower ceiling - BOS; 6) HD-total cost info. management system - Dept. Head; 7) HD-preventative maintenance program - Dept. Head; 8) HD-outside sources through bid process for selected preventive maintenance work - BOS; 9) Park Dept - full-time permanent position to replace present 2-3 temporary employees hired annually - Park Dept; 10) Tree Warden - no action now include tree management & insect pest control in future Dept; 11) Inspection Service - include all code inspection functions in BI Dept - BOS; 12) Inspection Service - BI should prepare a monthly work plan - BOS; 13) Inspection Service - BI should maintain a work request log - BOS; 14) Inspection service - maintain job and time record of each inspector's work - BOS; 15) Inspection Service - prepare summary completed-month work plan & a prospective-month work plan - BOS; 16) Inspection Service - transfer responsibility for plumbing inspection from BOH to BOS - Sel. & Board of Health; 17) Engineering Services - provide increased scope and coordination of engineering services - Public Works Council & BOS; 18) Engineering Service - secure sufficient engineering capability to represent and protect the Town's technical interests - to be determined; 19) Public Bldgs. Maintenance - consider school dept. maintenance staff as a source of reimbursable maintenance service, particularly for emergency service - BOS & School Comm; 20) Vehicle Maintenance - upgrade vehicle maintenance facility in the HD - Supv. Planning & Central Ops; 21) Fire Dept - install an equipment maintenance cost records system to provide complete labor and parts costs - Fire Chief; 22) HD - install an equipment maintenance cost records system to provide complete labor & parts cost - Dept. Head; 23) HD - prepare a planned equipment replacement schedule - Dept. Head & review by BOS; 24) Sewer Comm - reinforce the Sewer Comm's plans & efforts - Sewer & BOS; 25) Sewer System - increase consideration of property/owner charges for having & using sewer system - Sewer Comm; 26) Sewer System - house service construction & connection phase should be included as part of the construction project - Sewer Comm. Mr. Murphy stated that the Board would like an opportunity to review the recommendations even though they have assigned various groups to each recommendation. He further stated that perhaps the Board would discuss the recommendations at a Work Session - the major point is to determine where the Board stands before Town Meeting commences - we will get back to the comm. directly prior to any work session on the implementation of the recommendations with verbal, then written communication. The Board agreed that the DPWSC would continue through Town Meeting. Mr. Carson stated that he feels the report is excellent and recommendations on which the Board agrees should be implemented - he feels there is a need to improve management functions in the HD, as well as long-range planning in Town.

At 9:50 the Board recessed for a five-minute period.

The AA telephone Mr. Hart at home to determine whether or not he had any objections to the Board's voting on Annual Appointments this evening - Mr. Hart had no objections to voting the list as presented by Mrs. Haines for some 18 employees. However, Sel. Carson requested a one-week hold on all appointments in order that he may review same.

Unfinished
Business
s.continued

The Board re-addressed Mr. Shanahan's proposal re: vendor's licenses & applications for same. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve the application & license form as submitted by Sel. Shanahan on 4/18. Last week Mr. Ligori had requested two applications for Vendor's Licenses. The Board agreed to forward the applications to the Police Dept. for review as to safety and request report on same prior to mtg. April 25, at which time the Board will meet with Mr. Ligori to discuss his applications. As a matter of policy, the Board will forward all such applications to the Police Dept. for review re: safety.

The Board re-addressed Capital Improvement Plan, with changes in same as outlined last week. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the Capital Improvement Plan as set forth for presentation at the ATM - Mr. Lovering approved it for planning purposes.

The Board had no changes re: assignments of warrant articles.

The Board discussed a report from the Adm. Asst., Town Acct., and Town Aide re: Lowell Regional Trans. Authority. Report was as follows: based on present \$28,000 budget, by joining the LRTA the cost for transportation would be approx. \$14,000; there would be trans. made available for elderly & handicapped; the cost of the program would be shared by the State & Fed. Government; the Authority would undertake such trans. studies as may be deemed necessary by the Community; the Community would only receive those trans. services it authorized and would be responsible for only those costs incurred in the provision of services in Chelmsford; the Town may, at any time, withdraw from the Authority. This report was the result of a mtg. with James O'Sullivan of the LRTA. Martin Ames was present and Mr. Murphy & Board Members allowed him to offer input regarding this subject. Mr. Ames is very leery of the Town's joining the LRTA and strongly urged more careful study of the ramifications of same, as well as careful study of Chapter 161B. On a motion by Mr. Lovering, seconded by Mr. Carson, it was unan. voted to request Sel. Shanahan to review in great detail the pros and cons of joining the LRTA with Mr. Ames and come back to the Board with timely recommendations.

As Sel. Hart was not present, the Board agreed to hold on discussion re: Crystal Lake Final Payment until 4/25.

Item 2 - corres. from Bd. of Health re: massage parlors - on a motion by Mr. Lovering, seconded by Mr. Carson, it was unan. voted to ask the Board of Health whether or not the requirement of physical therapist on the premises of massage parlors is being met; and ask the BOH if they feel it would be beneficial to have an article in an upcoming STMWarrant re: the townspeople's position on whether or not they think massage parlors should be allowed in Town.

Corres.Sum.

Item 9 - corres. from Peter Mackey re: violations at 117 Princeton Street - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to instruct the BI and Fire Dept. to take necessary legal actions to stop violations at the premises and notify Mr. Mackey of our action - also, we will ask the BI & Fire Chief if they feel it would be beneficial for the Board to go to Town Counsel regarding this matter.

Item 10 - corres. from State re: woodburning stove workshops - Mr. Murphy noted that there was no mention of a mtg. on the 26th of Jan. in Worcester as was previously indicated by the BI.

Corres. Sum.
continued

Item 11- request from Mr. Aberizk for street light - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request the AA to prepare a written report on priority of street light requests for the Board's review within one month's time.

Item 15 - corres. from Hghy.Supt. re: drainage problem on Larssen Circle - the Bd. agreed to request Mr. Rondeau to forward more info. re: outlet culvert as the water is not getting out of the pipe.

Item 20 - corres. from Council on Aging Chairman re: bus trips - Mr. Murphy informed the Board that after attending a luncheon with the COA, he has been advised that all of the Exec. Officers of the Sen. Cit. reside in Town, and therefore, it is not necessary for the Board to make any special policy or waiver with regard to Exec. Officers & residency requirements to participate in the bus trip program. On a motion by Mr. Murphy (Mr. Murphy stepped down from the Chair to make the motion and Mr. Carson Chaired the vote), seconded by Mr. Shanahan, it was unan. voted to withdraw any recommendations on this matter, in view of the above. Mr. Shanahan stated that initially, the request was not made for 1 individual.

Item 23 - corres. from Conference of Mayors re: "Case for CETA" - on a motion by Mr. Lovering, seconded by Mr. Carson, it was unan. voted that Bd. members will provide the Chairman with written comments over the next 2-3 weeks for incorporation in a letter to Mr. Gunther with regard to the CETA Program.

Item 30 - corres. from J.P. Gravell re: High Street barrier & water problem - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to inform Mr. Gravell that we will ask the HD what they might do re: drainage solution for upcoming year (2) and inform Mr. Gravell of the reasons why the Board chose the solution to the problem re: barrier (most economical) & forward Mr. Gravell a copy of the drawings, etc. regarding this item (1).

Item 39 - corres. re: "Save Berry" - on a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to hold on this item pending receipt of a report from Martin Ames, the Bd's. rep. on the MVHPC re: more info. concerning this facility for mildly retarded & handicapped in North Reading. This will be placed on the 4/25 agenda. A copy of this corres. will be forwarded to Mr. Ames.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

New Business Mr. Lovering requested a report on status of request for a report on the listing of vehicles that we would hire, weights, carry insurance-snow-plowing vehicles in particular - Mr. Lovering suggested that the Bd. address this item within the next month or two.

Mr. Lovering stated that each Bd. Member is in receipt of a letter re: Tenant's Meeting re: a North Chelmsford Apartment Complex - Mr. Murphy stated that he will contact the writer and inform her that the Bd. is mtg. with the FinComm on Thursday - a copy has been sent to the BI & BOH - we will expect that the BOH would attend & we would appreciate any written material which develops as a result of this mtg.

Mr. Murphy requested that the resolve which the MCAB developed re: budget process open to the public be placed on the 4/25 agenda for the Board's position. The AA will provide each Bd. Member with a copy of same.

Mr. Murphy requested that the AA Xerox a copy of an article in the Sel. Magazine re: licensing (Common Vict) for fast-food businesses - the Town may wish to establish some criteria regarding this item also - the AA will place same on the 4/25 agenda.

Mr. Murphy introduced Licia Stack, reporter for the League of Women Voters.

At 10:50 PM Mr. Lovering moved that the Board adjourn to Exec. Session to discuss 1) consideration of discipline or dismissal of or to hear complaints or charges brought against a public officer, employee, staff member or individual; and 2) to consider the purchase, exchange, lease or sale of real property by the Town. Mr. Shanahan seconded this motion - Roll Call Vote was as follows: Mr. Shanahan-Aye; Mr. Carson-Aye; Mr. Lovering-Aye; Mr. Murphy-Aye.

Adjourn to
Exec. Session

At 11:06PM the Board returned to the Open Meeting and Mr. Lovering read the following Press Release as a result of discussion on item 2 in Exec. Session as indicated above: "The Chelmsford BOS have reached an Agreement with Dr. L. Rodger Currie for the sale of the Emerson Property for development as "Central Park" at a purchase price of \$120,775. As part of the sale to Dr. Currie, the Sel. have agreed to support the zoning change necessary for the Emerson land as well as the Evergreen Condominium Property on Fletcher Street in order to allow for the development of the area. Plans include the development of a Center park including restoration of the Emerson House, restoration of a pond on the property, construction of flower beds, walkways, benches, etc., as well as the relocation of exiting driveways in the Central Savings Bank. Walkway access will be provided from the rear of the existing Town Hall as well as a vehicle access to the rear of the Chelmsford Fire Station. Plans include the planting of various trees, shrubs, and bushes, as well as construction of a barn and silo as a service building on the property. Per the request of the Selectmen, Dr. Currie has obtained preliminary approval of the project. The Planning Board, Conservation Commission, Historic District Commission, Finance Committee and Board of Selectmen have indicated preliminary approval. In addition, all property owners within the Historic District have been advised of the proposed use. The Chelmsford Board of Selectmen believe that the use contemplated is an asset to the Center area of the Town and will recommend approval of the necessary articles to accomplish this at the Town Meeting this year." (sic). On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to congratulate Mr. Lovering for his efforts in regard to the sale of the Emerson Property.

Return to
Open Meeting

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting was adjourned at 11:08PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Board of Selectmen held April 25, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Regular
Meeting

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to proclaim the week of April 30 as Elks Youth Week - a photograph was taken with the Exalted Ruler Robert DiGiacomo & his Esquire Joseph Maher.

Proclamations

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to proclaim Law Day as May 1 - a photograph was taken of the signing of same.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to proclaim May 3 as Sun Day (solar energy)-a photograph was taken of the signing of same.

At 7:45 PM Sealed Bids were opened for Police Cruisers as follows: Jim Witt Pontiac, 1978 Pontiac Catalina \$5,093; Colonial Chevrolet: 1) 1978 Chevrolet Impala Sedan \$32,156 itemizes re: trade-ins; 2) four-door sedans-\$32,456. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to forward the bids to the PA for review and recommendations.

Sealed Bids-
Cruisers &
Fire Dept.
sedan

A single bid was received for a sedan for the Fire Dept. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to open the single bid as follows: Colonial Chevrolet- 1 1978 Chevrolet Nova 4-door sedan-\$4,504.35. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to refer the bids to the PA for review and recommendation for award.

Board
Reports

Mr. Shanahan reported that the mtg. scheduled for last Thursday re: MCTS was postponed until this Thursday-Mr. Shanahan, as the Board's rep. on the Task Force, will attend same.

Mr. Carson received a telephone call from a resident re: Swain Road drainage work-the AA informed him that the contractor is supposed to work on the site at the end of this week or the beginning of next week.

Mr. Lovering informed the Board that participation in the Recycling Program seems to be quite good; however we have only been two days in the program and there are some problems with routes. At the end of a two-week period Mr. Lovering will meet with Louis Rondeau, Hghy. Supt. to discuss any changes which should be made after review of the program.

Minutes
Adopted

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the Regular & Executive Sessions held April 18.

Adm.Asst.
Reports

The AA informed the Board that the date of the STM has been changed from May 8 to May 11, in view of the posting requirements for STM.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve a request for trans. from the reserve fund for Legal Fees for Clement McCarthy in the amount of \$1,670 for the Pare case.

Mr. Murphy noted that the article re: addition to Nashoba VTHS will not be included in the STM, in view of corres. from Nashoba which Mr. Murphy read.

Mtg.with A.
Ligouri RE:
roadside
stands per-
mits

At 8PM a mtg. was held with Al Ligouri re: his requests for two permits for roadside stands to sell flowers, flowering plants and Christmas trees (in season). The Deputy Chief had forwarded the Board a written response indicating that he could see no reason why Mr. Ligouri should not be issued the licenses for 89 Chelmsford Street and 90 Drum Hill Road; hours of operation would be 9am to 6pm for flowers and flowering plants and 9am to 7pm for Christmas trees. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was voted four in favor, one opposed-Mr. Lovering, to approve the two permits for Mr. Ligouri on the basis of his applications from April 18 to April 18, 1979. Mr. Carson moved to amend the motion as follows: licenses will be granted on the following holidays: Mother's Day; Easter; Memorial Day; Labor Day; Christmas season and weekends associated with these holidays-the amendment was seconded by Mr. Shanahan and was unan. voted by the Board.

Unfinished
Business
Annual
Appointments

At this point in time the Board voted on Annual Appointments for Employees for 1978. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to reappoint the following employees: Town Acct: Ernest Day, Mission Road, Tyngsboro-\$16,592; Adm. Asst: Evelyn M. Haines, 130 Treble Cove Road, Billerica-\$12,241; Clock Winder: Richard Lahue, Jr., 19 Evergreen Street-\$100; Dog Officer: Frank Wojtas, 66 Concord Road-\$7,704; Asst. Dog Officer: Stasia Wojtas, 66 Concord Road-\$6,163; Gas Inspector: Neil Stanley, 91 Locke Road-\$3,750; Labor Relations Advisors: Murphy, Lamere & Murphy, 400 Franklin Street, Braintree-\$35 per hour; Sealer of Weights & Measures: Anthony Ferreira, 72 Riverneck Road-Civil Service-\$2,000; Supt. of Streets: Louis Rondeau, 68 Parker Road-\$21,332; Town Aide: Kathleen Robinson, Redgate Road, Tyngsboro-\$8,960; Town Counsel: James Harrington, Pine Hill Road-\$500; Veterans' Agent: Mary McAuliffe, 27 Miland Avenue-\$11,024; Wiring Inspector: Harold Tucke, North Road-\$14,560; Youth Center Coordinator: James Woodman, 1329 Pawtucket Blvd., Lowell-\$11,499; Consultant/Engineer for Hghy. Dept: J. Paul Bienvenu of the firm of Emmons, Fleming & Bienvenu at \$30 per hour.

Re: reappointment of Bldg. Inspector, Mr. Shanahan moved the reappointment of Peter J. McHugh, Jr., Turnpike Road-\$17,777-Mr. Carson seconded this motion for the purpose of discussion. Mr. Carson stated that he has many concerns about this reappointment and about the BI's performance. Additionally, Mr. Carson is concerned about the rights the Board has re: the legality of various options open to them.

Mr. Carson moved that the Board table this reappointment to provide the Board with an opportunity to meet with Town Counsel in Executive Session to discuss the options open to the Board-Mr. Lovering seconded this motion. Under discussion on this motion, Mr. Shanahan stated that he is concerned that the Board will not meet their requirements-under Massachusetts Statute 143 the Board is authorized to appoint or certify a Bldg. Insp. on or before April 1 of each year. Due to the local elections and a policy of the BOS to allow the Board to reorganize prior to appointments, we have in the past gone beyond this deadline for purposes of policy, and, in this particular case we could have appointed each and every one of these employees a few weeks ago. We are now into our fourth week as a reorganized Board-we are dealing with an individual as well as a position, who has been waiting to determine if he will be reappointed for the upcoming year. Mr. Shanahan is not in favor of postponing the appointment to this position any longer, and he suggested that the Board move forward with all appointments. Vote on Mr. Carson's motion was as follows: three in favor, two-opposed-Mr. Shanahan and Mr. Hart, and the appointment will be deferred for one week as indicated above. Mr. Shanahan nominated Sel. William Murphy to serve as the Board's rep. as Dir. of Veterans' Services-Mr. Carson seconded this unpaid position-vote was as follows: four in favor, one abstention-Mr. Murphy.

Re: Insect Pest Control Supt., Mrs. Haines informed the Board that she has advertised for this position, due to the resignation of Mr. Hogan. Mr. Shanahan suggested that notice re: this vacancy be forwarded to the University of Lowell Science Dept., as some students may be interested in the position who reside in Town and who may be able to apply same to a career objective.

A mtg. was held with the RecComm re: request for transfer from the Reserve Fund and training of new CETA Director by present Director. Members of the RecComm present were: Mr. Charpentier; Paul Murphy; Joan Murray; Thomas Trainor; Anthony Bruno and Evelyn Newman, Clerk. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to endorse the RecComm's request for transfer to the FinComm in the amount of \$956.28 for life guards, and for funds to pay the present CETA Dir. of Rec. with Town funds for 3 weeks in order that he may train the new CETA Rec. Dir. The Board will forward all corres. re: this item to the FinComm for their review. Mr. Charpentier addressed the subject of bids coming in for Article 21-construction of tennis courts at Byam School & requested that the Board, if necessary, postpone this article at Town Meeting, in the event that it comes up for discussion on 4/26-the Board agreed to same. Mr. Lovering stated that the article as stated in the ATM Warrant is for construction, only, of tennis courts - Mr. Charpentier informed him that the RecComm would request the Moderator to amend same to include construction & purchase of land for the tennis courts - Mr. Lovering stated that in the past, this has not been the practice of the Board to take land by amending an article. Mr. Paul Murphy stated that the article, amended, would be to have the land appraised adjacent to the school for purchase. Mr. Charpentier will discuss same with Moderator Coughlin and if necessary, the RecComm will withdraw the article at this time and insert same in the Fall Town Meeting.

Mr. Carson made the following comments re: appointments: "We have finished the appointments at least for tonight with the exception of one hold and there are a couple of comments that I would like to make. I made some comments last week relative to what I considered to be a difficult position that a new Selectman and also the appointees are put in, in terms of trying to vote on appointments at this time of year, and I would like to just elaborate, briefly, on some of those comments. It's my understanding that in the past, appointments were made before the end of a Selectman's term and that way, good performance over the past year was rewarded if the person is appointed - that's the positive aspect of that method, but the negative aspect is that the new Board is stuck, if you will, with someone the old Board might have appointed, so we have gone to a method which we supposedly have started with a clean slate, at least in theory. But in

Unfinished
Business
Annual Appoint-
ments
continued

Mtg. with
RecComm re:
transfer &
ATM article

JWC comments
re: appoint-
ments

JWC comments
re:appoint-
ments
continued

practice, most employees stay on, unless there is some blatant problems in terms of their performance, and I think that this causes any number of problems not only for the people who are coming on to the Board new, as I am, but also for those individuals who are being appointed. There are problems if a person is not reappointed in the sense that if that person has some article before Town Meeting, or a budget, and is not around to support it; we also have problems if a person is not reappointed in terms of going through the summer without a replacement; and unless there are blatant problems in terms of performance of an individual, it's difficult, I think, to make changes in terms of the composition of the appointees within the Town. I would hope that, certainly now is not the time to suggest a major change, but I can at least suggest that it certainly be instituted, I would hope that in the future we might be able to come up with some more equitable way, perhaps considering moving appointments until the Fall of the year or some other more appropriate time that would give people time, people particularly coming new on the Board, to judge the performance of individuals, and time to look for replacements if in fact that is the mood of the Board at the time, and still plenty of time in order to influence the performance or the operation of the Town over the coming year. So I would hope that some time during the coming year we would have an opportunity to consider this whole area of appointments and perhaps consider some changes in this regard. The other point I would like to make is in regard to appointments, in particular tonight, and the ones that are coming up in the next few weeks. On most of the appointments I have voted in favor of the appointment, and I wouldn't want the individuals concerned, not only tonight, but in the future, to consider by my voting in favor I am necessarily endorsing their performance. But, rather, I am expressing the fact that I have no grounds on which I feel that they should not be reappointed. I'm not trying to single out any individuals or any appointees. I am only stating that as far as I'm concerned it's a difficult situation in order to measure and vote on the performance of Town employees. The point, I at least intend, in the case of all the people we talked about and voted on tonight, and indeed those coming up-I intend to look closely over their performance in the coming months of the year, and, if I find reason for any problems in terms of their performance I certainly intend to bring it before the Board for discussion. So, I would like to make that clear to the rest of the Board that that is my position in terms of appointments." Mr. Murphy asked if any other Board Members would like to comment in terms of their philosophy re: appointments - there were no further comments.

Unfinished
Business
continued

The AA provided the Board with a report on Ambulance Service which was in the form of an interim report as she is still contacting the hospital emergency rooms- the report is confidential at this time. We are under current contract until June 30, 1978.

Last week the Board held on report re: final payment for work on Crystal Lake & recommendation for same from Edmund Polubinski, Chairman of the Crystal Lake Restoration Committee (CLRC). Mr. Hart stated that he concurs with Mr. Polubinski's report and he feels that the committee has done an excellent job over the past few years - they have given much time and effort to this cause. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to publicly thank the members of the Board for their work; to dissolve the committee as its charges are complete; and authorize the final payment to the firms performing work on the Lake.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to adopt a resolution sponsored by the Mid. County Adv. Board re: budgetary procedures of the Mid. County Budget - Mr. Murphy read the resolve, adopted as a result of some forty letters requesting changes in the budget, after it was submitted to the MCAB and forwarded to the Legislative Comm. on Counties. The MCAB will take all steps necessary to keep the Mid. County Budget open, public and participatory from this point through the final enactment.

The Board discussed fast food common victualler's licenses as adopted by the Town of Arlington and outlined in an article in the "Mass. Selectman" magazine. The Board agreed over the next few months to look into same - Mr. Murphy will establish a timetable for review of same & positive interest by the Board.

The Board is awaiting receipt of a report from Martin Ames re: "Save Berry".

The Board took the following action on warrant articles for the 1978 ATM Warrant: On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to go on record at Intg. to dismiss the following articles: 29-Park Dept. Rules & Regulations; 42-Central Mass. Mosquito Control Project; 44-North East Solid Waste Comm; 45-Southern Essex Disposal District; 48-abolition of Varney Playground Comm; 51-authorize Selectmen to sell Town-owned property. Re: art. 30-nepotism article, the Board agreed to forward same to the Personnel Board for their consideration. Article 52-Free Cash is the recommendation of the FinComm. Also, the Board stated for the record that the articles to be dismissed were given careful evaluation before decision to dismiss was made. Re: Hghy. Dept. budget - Line Item 92 - laborer-men - 1 additional foreman has been added due to the DPW Study Report; Line Item 98 - has been amended to include \$18,000-sweeper rental; the Bd. agreed to oppose under article 2, Sections 4 & 5 re: sick leave & leaves of absence; article 27 - Bd. members opposed to separate Town Meetings & letter from Town Counsel explains same in detail; article 33 - sign bylaw - copy given to Board for review; article 38 - opposition to Summer Street rezoning; article 39 - opposition to Billerica Road rezoning-JBS abstained. Mr. Carson asked if there was discussion re: \$20,000 Federal Revenue Sharing-the AA will check with E. Day before TM on Wednesday re: using those funds for consultant money for DPWSC.

Mr. Shanahan stated that he spoke with Mr. Ames by telephone re: meeting on LRTA-the meeting will be scheduled before the article comes up at TM - Mr. Shanahan will keep the AA & LRTA Director apprised of the outcome of same.

Item 12 - corres. from Raymond Carye re: apologies for no one representing his firm re: Industrial Avenue at Street Acceptance Hearing held on April 10 - Mr. Shanahan stated that if we could invite Mr. Oberti to the next Selectmen's Meeting to resolve this matter before Town Meeting, we would not have to delay acceptance of the street for another twelve months-this was so voted on a motion by Mr. Shanahan, seconded by Mr. Carson. Mr. Hart noted that Town Meeting approval for st. acceptance does not mean that the street is accepted - the Board of Selectmen must still accept same at a later date.

Corres. Sum.

Item 15 - corres. from Donald Gray, Tree Warden re: contacting Consultant for HD re: questions as to whether or not trees are on Town-owned property or private property. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve Mr. Gray's request to contact Mr. Bienvenu, with the stipulation that funds for the consultant's services be taken from the Tree Warden's budget; and that he forward a copy of all such requests & outcome of same to and from the consultant to the BOS for their review.

Items 19 & 20 - Board discussion on corres. from Nancy Ring (19) and Mrs. Pat Ring (20) re: the manner in which the Board received students from LeMans, France on April 10 - the letter was critical of the Board's welcome. Mr. Murphy informed the Board of facts behind this issue. The Selectmen agreed to welcome the students on the request of the Chelmsford Language Dept. by welcoming the students to a regularly-scheduled Sel. Mtg., at which we would try to have, at the beginning of the meeting, a brief explanation of how the Board works. We would have liked to have had more time, but our commitment was to have the students in as part of the regular meeting. The Board agreed that the quarters were cramped. Mr. Murphy stated that he thinks there may be some misinterpretation by some of the writers re: more things should have been done by the Board; celebrations at the High School were associated with their program and our commitment was one of cooperation and welcome with presentation of certificates. Mr. Murphy apologized for the crowded quarters in the Meeting Room & for his speaking so rapidly. Mr. Shanahan addressed the matter with regard to the length of the Corres. Summary in general. He stated that when the Board receives letters which are hand written, they must be retyped by a Clerk in the Selectmen's Office, which is quite

Corres. Sum.
continued

time consuming. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted that the Board, in the immediate future (2-3 weeks) conduct a complete review regarding the purposes intended behind our corres. sum., and determine if this particular type of document is serving its purpose, as there might be a better utilization of the time our clerks spend on completion of the summary.

Mr. Carson stated with regard to item 19 & 20 that he is sorry the problem occurred; and perhaps in the future, the Board should be fore-warned as to what is expected of them. The AA will forward a response from the Bd. to the writers.

Item 23 - corres. from Director of Foundation for Humanity re: lease of facility - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to authorize Sel. Shanahan to contact the director by telephone to determine what the foundation has in mind re: lease of facility in Town and contribution of up to \$200,000 for a facility. Mr. Shanahan will determine what their charter is and report back to the Board.

Item 26 - corres. from Nancy Emus & Carol Cross re: minors viewing "Saturday Night Fever" no change to recommendation; however, Sel. Shanahan stated that as noted in the writers' letter, he disagrees with their comment re: "perhaps you should view this film yourselves before tossing this letter into the wastebasket" (sic) - Mr. Shanahan stated that all corres. received in the office is considered by the Board and not thrown into the wastebasket.

Item 29 - corres. from Deputy Chief Greska re: recording devices in cruisers - on a motion by Mr. Lovering, seconded by Mr. Hart, it was unan. voted to discuss this item in a work session with members of the department, matters to be discussed should be cost, installation, maintenance, and in detail review as to why there is trouble with the recording devices.

Item 30 - corres. from Deputy Chief Greska re: cars on North Road and Richardson Road - Mr. Shanahan asked if the cars have been moved from the areas - they have.

Item 40 - corres. from Deputy Chief Greska re: Drum Hill Rotary in answer to corres. from Mrs. Cicco - Mr. Shanahan requested that the report be forwarded to Mrs. Cicco for her info.

Item 41 - corres. from (copy) L. Saab, Esquire to Cons. Comm. re: Soucy-Pine Needle Street - Mr. Carson suggested that this matter was not initially responded to by the BI re: items 7 & 8 in a letter from Mr. Richard O'Neil - we will request a report from the BI on same (condition of exterior of the bldg. & severe erosion problem along fence) re: immediate action taken & any progress on same.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

New Business

Mr. Murphy stated that there was an omission in the 1978 AT Report by the printer re: Crime Statistics - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to provide copies of the crime statistics to the press for their info.

Adjourn to
Exec. Ses.
re: collec-
tive bar-
gaining

At 9:13 PM Sel. Shanahan moved that the Board adjourn to Exec. Session to discuss two matters which deal with Section 3 of the Public Meeting Law - strategy with regard to collective bargaining or litigation - motion seconded by Mr. Carson, unan. voted by the Board. Roll Call Vote was as follows: Mr. Shanahan-Aye; Mr. Carson-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Murphy-Aye.

Return to
Open Mtg.

At 9:28 PM the Board returned to Open Meeting and Mr. Shanahan moved that the

Board adjourn to Executive Session to discuss employees' physical condition and mental health-this was seconded by Mr. Carson and unan. voted by the Board. Roll Call vote was as follows: Mr. Shanahan-Aye; Mr. Carson-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Murphy-Aye.

Adjourn to
Exec.Session

At 9:45 PM the Board returned to the Open Meeting and on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting adjourned at 9:45 PM.

Return to
Open Mtg. &
Adjourn
Meeting

For the Board of Selectmen, by

Bonita Towle

Jurors drawn by Sel. Shanahan on April 27 for June 5 - for Lowell: Francis M. Carrick, 13 Carleton Avenue; for Cambridge: Thelma Antonopoulos, 3 New Fletcher St., Harold J. David, 6 Pine Hill Avenue, Mary E. Gilikson, 270 Littleton Road, Donald MacPhail, 180 Tyngsboro Road; for Grand Jury on July 3-Frederick L. Mays, Jr., 10 Walnut Road.

Jurors drawn

Special Meeting of the Board of Selectmen held April 29 (Saturday), 1978 to discuss the application of State Laws re: the appointment of a Building Inspector and what that application under Chapter 802 of the State Building Code has on the Town of Chelmsford. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering; and Mr. Hart. Mrs. Haines, Adm. Asst., was also present, as was Bonita Towle, Recording Clerk. Mr. Murphy, Chairman, called the meeting to order at 2:30 PM. Atty. James Harrington, Town Counsel, was also present.

Special Mtg.
4/29/78 re:
application
of State Law
re: Bldg.Insp

Mr. Murphy asked Atty. Harrington the following questions: 1) Is the law binding on the community which requires that the BI be appointed or certified during the month of March - does this notification to the State just inform the State of the name & address of the BI for their files and mailing lists, etc., or does the State intend to fix that cycle; 2) the original Bldg.Code grandfathered in the existing BI - thereafter it required certain qualities he must meet or else he could not be reappointed-if so, what are they; 3) if the Board decided not to reappoint the BI and there was no BI existent for a period of time, could the Board appoint on an interim basis, a BI - could we continue the existing BI on a temporary basis or would the State take over the inspection process.

Atty. Harrington stated that re: the April 1 date of appointment, we are governed by Chapter 143, which was revised by Chapter 802 of the Acts of 1972-State Bldg. Code. The reference made to the April 1 date is as follows: "The Clerk of each City or Town shall annually, not later than April 1, submit to the Commissioner in writing the name and official address of each inspector of bldgs., the Bldg. Commissioner, and each local inspector in said city and Town." Atty.Harrington feels that the Town Clerk has a responsibility, each year, prior to April 1, to notify the Commissioner as to who the BI is, and his address - he does not see where this is binding on the Town as to an appointment having to be made for an annual basis or a continuing basis - under the section of this law, the Chief Adm. Officer (BOS) - the requirement was that the the bldg. code would be enforced by the BI who would be appd.by the BOS - in the event that the BOS do not appoint a BI, then the Commission will come in and make the appointment for a period not to exceed 30 days, within the 30 days the Appt. Authority would have to make a decision or request another 30-day appointment by the Commission. Town Counsel stated that there is a Grandfather Clause which says that any BI appd. prior to Chapter 802 will not be subject to regulations re: appointment under same. Qualifications are as follows: "each Insp. of Bldgs. shall have at least 5 years experience in the supervision of bldg. construction or design or in the alternative, 4 years undergraduate degree related to bldg. construction or design. In addition, each person shall have a knowledge of the quality and strength of bldg. materials, a general knowledge of accepted requirements for bldg. construction, fire prevention, light, ventilation, and safe access and a general

Spec. Mtg.
4/29/78 re:
application
of State Laws
re: Bldg. Insp.
continued

knowledge of other equipment and materials essential to safety, comfort and convenience of the occupants of said buildings." This is Chapter 802.

Town Counsel stated re: interim appointment - the Appointing Authority comes under the bylaws which say that 'the BOS may appoint, annually, a BI' which means it is an annual appointment - there is nothing there which says you can or cannot make it temporary or not. Atty. Harrington feels, in his opinion, the BOS could make an appt. for less than a year, if certain circumstances present themselves. Mr. Shanahan asked even if the law connoted a 12-month appointment, where would we stand in removing a person from that position - even if we hired on the basis of a 12-month period - are there any guidelines that prohibit us in any way - Atty. Harrington stated there is nothing in the statutes specifically pertaining to the appt. of a BI or the removal of a BI during his term; however, there is a provision in the Chapter which says that two Towns can get together and appt. one BI - they would share costs and a joint committee composed of the Chairman of each BOS would deal with the appt. of a BI. Atty. Harrington read the section of the bylaws re: annual appointments: "BI and Dept - mode of appointment of office - the BI shall be appointed annually by the Board of Selectmen" powers and duties then follow. In answer to a question from Mr. Carson, Town Counsel said that the BI enforces the zoning bylaws, under 808 of the Zoning Enabling Act - which is in effect. Mr. Carson asked, in terms of termination, is it necessary to show cause - Atty. Harrington feels that it is the Board's duty to make the appointment - it is not necessary to show cause. Sel. Shanahan stated if in fact in this appt. where the BOS are required to make an appt., not a re-appt., but an appt. (each year it is a new appt. - for the past few years it happened to be the same individual) - we don't have to show cause for why we didn't appt. someone to the position for two years in a row - is the situation different if we were to appoint the BI, and then two months later we attempt to remove him from the position - Atty. Harrington feels that we would want to take a close look at this and the legal ramifications - we should go through at least a hearing, giving the BI an opportunity to be heard at that time.

Atty. Harrington, in response to a question from Mr. Carson, stated that the Town is governed by Chapter 142 - section 14 states that "the Insp. of Bldgs., if any, otherwise, the Board of Health, of each city and town shall within 3 months after it becomes subject to section 1-16 inclusive, appoint from a classified Civil Service list, one or more inspectors of Plumbing and one or more inspectors of gas fittings, who shall..." - should the BI appoint the Plumbing Insp. and Gas Insp? The BOS last week apptd. the Gas Insp. Are we within three months of acceptance of this section - the Board of Health is under the impression that they appoint the Plumbing Insp. The Board asked Town Counsel to research this item and forward them with a written opinion on same - he will determine who has supervisory authority over these individuals, also. The Adm. Asst. informed the Bd. that the Plumbing Insp. is now Civil Service and need not be reapptd. yearly by the Town.

Mr. Carson asked that with regard to the Town's zoning bylaws or Chapt. 802 - if we assume that circumstances have changed and we have to show cause, what are the requirements in terms of performance that are stipulated that we could refer to in terms of showing cause as to why a person should be terminated. Town Counsel stated there is no basis - the Board would have to make a determination in their own minds and get into an actual situation.

Mr. Carson asked what would be the practical effect on the Town re: litigation, pending cases, or any other aspect of the Town Counsel's relationship with the BI if there was no BI for a period of time. Town Counsel stated that he would be in a very difficult position - he cannot try a zoning case, file a complaint, or request a preliminary injunction without the BI. At the present time, Town Counsel stated that there are a couple of cases he has pushed to get to Court - he would be seriously embarrassed if they came up and there was no BI; however, a different BI could process the case on behalf of the ^{Bldg.} Dept. but there are a lot

of cases in which it would be more beneficial to have Mr. McHugh represent the Bldg. Dept. - i.e., cases which have a history, series of inspections by Mr. McHugh in the past, questions of pre-existing uses etc., which Mr. McHugh, only, would be aware of - Mr. McHugh could be subpoenaed, if need be, Town Counsel stated in response to a question from Mr. Murphy.

Special Mtg.
4/29/78 re:
application
of State Law
re:Bldg.Insp.
continued

Mr. Shanahan asked Town Counsel, in his dealings with the present BI, Peter J. McHugh, what has the BI's performance been in his position as BI - when a zoning matter gets to the point of litigation, as far as performance of Mr. McHugh, how is he performing in assisting Town Counsel - in putting a case together for initiation of litigation. Atty. Harrington stated that Mr. McHugh has been very cooperative with the exception of one case (Archer) - there has been total cooperation - Atty. Harrington stated that Mr. McHugh has gone on inspections with him, ^{he was} complaints have been filed, and Mr. McHugh has attended every preliminary hearing ^{asked} to attend by Town Counsel.

Mr. Lovering asked if the Board decides not to reappoint Mr. McHugh, and decides to appoint someone temporarily, would the BOS have any problems if they considered some type of severance pay for Mr. McHugh - Atty. Harrington stated that Mr. McHugh comes under the Personnel Bylaws re: setting of salary and therefore, it would have to be approved by the Personnel Board - Mr. Lovering stated that the BOS could recommend same to the Personnel Board.

Mr. Shanahan asked Town Counsel if it would be possible for the BOS to, rather than by co-mission, by omission, appoint anyone to the position - could there be an argument depending on the delay of the Board that he is 'de facto' appointed as opposed to under the law. Town Counsel said at the present time, as there has been no appointment, Mr. McHugh was carrying over, in his opinion, as BI.

Mr. Hart asked if there would be anything involved with new laws and the BI re: certification of a BI - Atty. Harrington stated he is not familiar with the certification of the BI under the new requirements - Mr. Hart stated our present BI is certified. Mr. Murphy recollected that a number of years ago we did send his qualifications in and received some indication from the State that they were satisfied with same. The State has the authority to determine if appointments are made under the Statutes and insure that the person appd. meets the requirements. There is a Certification Program - under 187.6 of the Bldg.Code it states "the Dept. of Community Affairs shall offer a certification program for Bldg. officials and shall issue a certificate to those who satisfactorily complete said program." The Town of Chelmsford sets higher standards than the State, re: certification and qualifications but we have not had an opportunity to hire a new Insp. of Bldgs. since the new requirements came into effect.

Re: qualifications, Mr. Carson asked if we appointed someone on a temporary basis, would that person also have to satisfy all of the qualifications of a regularly-appointed BI - Town Counsel answered in the affirmative.

Mr. Shanahan asked if we appointed someone else, hypothetically, on a temporary basis, and indicated to the person that the appointment is not necessarily a full-year's commitment by the Town to employ him in that position, and in three months we decided to appoint another person whom the Town had been seeking for the position, would we have to show cause for removal of the temporary BI - Atty. Harrington stated that if we appoint with the specification of a temporary appointment, we would not have to show cause - Mr. Shanahan stated that we could do that with Mr. McHugh too - Atty. Harrington agreed.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the Special Meeting. The Special Meeting adjourned at 3:10 PM.

For the Board of Selectmen, by

Bonita Towle

Special Mtg.
Adjourned

MEMBERS
PRESENT

Regular Meeting of the Board of Selectmen held May 2, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Board wel-
comes Stu-
dents for
Student Gov-
ernment Day
activities

Mr. Murphy introduced the five students who will act as members of the Board of Selectmen and the one student to act as the Adm. Asst. for Student Government Day - they are: Selectmen - Chairman: Michelle McKeown; Bill Logan; John Sullivan; Sue Earley; and Donna Koulas - Adm. Asst. George Barnard. Mr. Murphy read a letter from Donna Koulas, who joined the mtg. in progress as she is President of the French Honor Society, indicating that she would attend the mtg. after the induction of the new members of the French Honor Society. Mr. Tucker of the Elks was also present - Mr. Murphy turned the mtg. over to Michelle McKeown and at this point in time each student informed the Board of their background and how they became interested in running for their positions. Mr. Murphy noted that this is the start of the Student Government Week activities and Friday evening the Elks will sponsor a dinner-dance regarding same. Friday afternoon the students are invited to join the Selectmen in touring several Town buildings as part of the activities. A photograph was taken of the students.

Mtg. with
NMAC re:
HUD Small
Cities Pro-
gram & appli-
cation

At 7:30 PM the Board met with Robert Flynn and Joseph Hannon, Exec. Dir. of NMAC re: Small Cities Program and a letter received on this date from Mr. Hannon outlining suggestions to projects which the Board could consider in applying for grant from HUD for this program. Mr. Hannon noted that time is of the essence, should the Board vote to apply for a grant of this type - pre-application must be submitted for the Community Development Block Grant by May 15-requirements are quite rigorous and application for same is quite lengthy- however, Mr. Hannon feels that the application could be completed within two weeks' time - the project suggested by NMAC was for the Middlesex County Training School Property and to make recommendations to the County for use of the bldgs. and land. Mr. Hannon feels that HUD would be receptive to this type of large-scale project; however, the Board was concerned as to whether or not the application could be completed thoroughly, within the next two weeks. The Board agreed to hold on same and discuss this item further under New Business this evening. Mr. Hannon agreed with Mr. Murphy that he has heard rumors of more funds becoming available for grants of this nature this year-however, they have not been confirmed to date.

Bid Opening-
Monitoring
& Logging
System for
Police Dept.

At 7:45 PM a single bid was opened on a motion by Mr. Shanahan, seconded by Mr. Carson, unan. voted by the Board for monitoring & logging system for the Police Dept. Bid was as follows: New England Sound and Communication Systems-\$4,983. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to turn the bid over to the PA for recommendation for award.

Board
Reports

Mr. Shanahan reported that the Task Force on the MCTS will be meeting on Wed., May 3 at Noon - this should be the last mtg. of the Task Force as the County Commissioners should be making their decision at this time, after reviewing the recommendations of NMAC and our Town reps.

Minutes
Adopted

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the Regular and Executive Sessions of the Sel. Mtg. held April 25, 1978.

Board
Reports
continued

Mr. Lovering reiterated his comments re: recycling program - if recycling is not picked up on the regular day, residents should leave same out or take it in and put it at the curbside in the morning as there is a back-up in some areas in Town. Mr. Lovering will meet with Mr. Rondeau at the end of this week to discuss whether or not it would be beneficial to change some of the street routes. Mr. Hart noted that due to the Recycling Program and the Spring Clean up, the Highway

Dept. has been working on trash only this past week - the HD cannot complete their regular work and this should be watched very closely after this week, as this is a very busy time of the year for the Hghy. Dept.

Mr. Murphy reported on legislative matters as follows:

There is indication that there is a nine million dollar deficiency in the Cherry Sheet allocations for the lottery - the blizzard has had an impact on the sale of lottery tickets, etc. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to notify our legislators (reps. and senator) that the community has not been at fault, and it is appropriate for the State to make up the deficiency and request their support of the deficiency budget, on the lottery deficiency item only.

Mr. Murphy gave each Bd. member corres. re: Classification Amendment coming before the Legis. very shortly, to allow property to be evaluated on the basis of the type of use - to maintain the tax base throughout the Commonwealth the way it is - a certain percentage for single residences, commercial, and industrial. Many of the State's communities have not re-evaluated at 100% yet. The purpose of the amendment is to maintain the balance in the community. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request the Board of Assessors to review this material and determine what the balance is of the tax levy in the community - what percentage is residential, commercial and industrial, currently, and what it would be under this new classification, and how this would effect the tax rate.

In terms of a legislative alert, on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to communicate with our legislators that the community supports the substance on Page Two of a package of material passed out by Mr. Murphy re: full package of Local Aid and something fair and equitable for all communities in terms of revenue sharing.

A mtg. was held with Members of the Town-Wide Cultural Comm. re: goals of the committee. Ms. Marie Geary and M. Paul Ward were present representing the committee. Ms. Geary stated that the committee will be meeting on the first Wednesday of each month, if any Sel. would like to attend the meetings. Also, several members have resigned from the TWCC and Ms. Geary will ask the Chairman, Mr. Simorellis, to forward the Board with current membership of same. The TWCC recommends that the regular TWCC be no less than 12 but no more than 15 persons - who would meet with every type of committee or group in Town dealing with the arts on a volunteer basis - the committee would like to determine their official status re: goals, membership, etc. Mr. Lovering requested that this item be tabled until after Town Meeting, as the TWCC has expressed an interest in utilizing the Town Hall for cultural bldg., and we should await the results of Town Mtg. re: McFarlin School use as future Town Hall before we make any decisions re: use of Town Hall by cultural committee - the TWCC needs a place for their intended uses for the concept of a bldg. for cultural purposes. On a motion by Mr. Lovering, seconded by Mr. Shanahan, it was unan. voted to table further discussion on this matter until after Town Meeting.

Mtg. with
Town-Wide
Cultural
Comm. re:
goals

The Board met with Larry Sheppard et al re: tree removal & widening of Acton Road in the vicinity of Phil's Village Market and 326 Acton Road. Tree Warden Donald Gray was present also - he had held a hearing on tree removal at the Town Hall earlier this week. Mr. Sheppard announced that he had a petition with many signatures on it as follows: As residents of the South Chelmsford area, we feel it necessary to air our concerns about the proposed widening of Rte. 27 within the 25-mile an hour section. We feel that construction of sidewalks is necessary but that widening of the road will encourage increases in vehicular speed which will directly effect the safety of pedestrians and cyclists, especially those

Mtg. with L.
Sheppard et
al re: tree
removal &
widening of
Acton Road

Mtg. with L.
Sheppard
continued

who cross the street, also it seems that resurfacing and sidewalk ^{construction} could be done without destroying trees or reducing the size of the common, both of which would adversely effect the beauty of an historic area of the Town of Chelmsford. Mr. Sheppard stated that 200 students will now be walking to school and will have to cross Rte. 27-Acton Road. Mr. Gray stated that regarding the trees, three trees should be removed for safety reasons and 1 will be a loss to the Town- at the hearing held last week, Mr. Gray requested that Mr. Sheppard obtain the opinion of an independent tree expert to evaluate his recommendations - Paul Bienvenu, Consultant for the HD was present on behalf of the Hghy. Supt., and he stated that the County, under Chapt. 90, has been installing a 30-foot pavement up Acton Road, with a 2-foot tree lawn and a five-foot sidewalk; however, Mr. Bienvenu will meet with the State and advise them that the Town would like to revise these plans. Ronald Wetmore, owner of Phil's Market was also present and informed the Board that the children in the neighborhood would suffer from the widening of the road. Mr. Shanahan stated that some time ago Officer Bell and the Chelms. Police Dept. were to have implemented some recommendations of the Registry of Motor Vehicles re: safety of this area - Mr. Shanahan suggested that the AA check on this with the Police Dept. Mr. Wetmore suggested that Mr. Bienvenu inform the State that the Town would like to have the ^{road} brought down to a smaller width at the point in question. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to request Mr. Bienvenu to look into the possibility of having the street basically the way it is now with the sidewalk - bring it down from 30 ft. to 26 ft, which we have at present-Mr. Bienvenu will discuss the possibility of this with the County and advise the Board of their disposition on same - Mr. Hart suggested that when we get Mr. Bienvenu's report, we should schedule another mtg. with the residents of the area to discuss the plan as to safety, etc. Mr. Sheppard will act as the neighborhood rep. on this matter - Mr. Gray will notify Mr. Sheppard re: question regarding trees.

D. Koulas-
Student Gov.
Day arrives

At this point in time, Miss Donna Koulas, one of the Student Government Day Selectmen, joined the meeting.

Mtg. with
1978 Memor-
ial Day Comm.

A mtg. was held with reps. of the Memorial Day Committee for 1978 - Mr. Shanahan moved the appointment of the following persons to the committee for 1978: Timothy O'Connor, Harry Silveria, Donald House, Elmer Crowel, Alfred Ryan and Manual Sousa were unan. appd. by the Board. Mr. Silveria & Mr. O'Connor were present. Mr. Silveria informed the Board that the parade will leave at 10AM from Purity Parking Lot - he further stated that he and the committee members feel that there should be one flagpole in the cemeteries with a bronze plaque at the base of the pole - the cost is high initially, but the committee feels that over the years, the Town would save money on same if they were purchased, as they are stolen quite often - funding for same should come under the Cemetery Comm. budget - Mr. Murphy suggested that this could be discussed at the next year's budget session with the FinComm and Cem. Comm. - Mr. Murphy further stated that one could be purchased for one cemetery per year. Stephen Mayotte will operate the speaker system for the parade and the Adm. Asst. will insure that the power on the common is turned on for the parade. Mr. Silveria requested that each Board Member attend the parade.

Donation of
JAWS OF LIFE
to Town by
Chelmsford
Elks

Robert DiGiacomo, Exalted Ruler of the Chelmsford Elks was present and informed the Board that the Elks are purchasing a "Jaws of Life" for the Town Fire Dept. Fire Chief Reid was present and thanked the Elks for this most worthwhile contribution and Mr. Murphy stated that we had placed funds in the budget for same, but now we will not have to expend funds for same in view of the Elks contribution. On a motion by Mr. Lovering, seconded by Mr. Carson, it was unan. voted to forward a letter of appreciation for the donation of the Jaws of Life to the State of Mass. Elks and the National Elks organization for this contribution. There is only one distributor of this mechanism in New England, American Fire Life, from which the jaws of life will be purchased. We are very proud to have the Elks in our Community.

At 9PM the Board met with John Oberti and Atty. James Geary representing Raymond Carye re: street acceptance of Industrial Ave. Extension. A hearing on same was held several weeks and Mr. Carye was not represented at same, therefore, this mtg. was scheduled. Mr. Carye presented the Board with a plan via Mr. Oberti, who explained same. Mr. Murphy stated that we are awaiting a report on the acceptance conditions of same from the Hghy. Dept. and same is included in an article for the 1978 ATM - Atty. Geary stated that hopefully, the entire street will be finished and final portion will be included for acceptance at next year's Town Mtg. There are no residences on Industrial Ave. Ext., it is in an industrial zone. When we receive report from Mr. Rondeau we will contact Atty. Geary.

Mtg. re: St.
Acceptance
of Industrial
Ave. Ext.

The Board recessed at 9:05 PM for five minutes.

The Adm. Asst. reported that she attended a seminar on Grantsmanship on May 1 & 2 sponsored by Suffolk University which was quite beneficial. She will prepare a report on same for the Board's review.

AA Reports

Last week the Board tabled the appointment of Building Inspector Peter J. McHugh, Jr., Turnpike Road, Chelmsford - salary: \$17,777 - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to remove this item from the table for discussion. Mr. Murphy stated that the Board met on Saturday, April 29 with Town Counsel to discuss options available to the Board. Mr. Murphy gave a brief outline of what transpired at this meeting, which is documented in the minutes of the Special Mtg. held April 29 - there is no need to show just cause should the Board vote not to appoint Mr. McHugh as Bldg. Insp; qualifications for the position have been established by the State Bldg. Code; should the Board not appoint a BI, the State will be requested to provide the town with a BI for a period of time; the April 1 date for informing the State of the name and address of the BI is not binding on the Town; the Annual appointment can be made at any time during the year, as long as it is made once a year. Mr. Shanahan moved the appointment of Peter J. McHugh, Jr., Turnpike Road, Chelmsford, as Building Inspector for the Town of Chelmsford at the annual salary of \$17,777 - the motion was seconded by Mr. Hart. Under discussion, Mr. Carson stated that he has an obligation to the rest of the Board to explain some of the reasons for the way in which Mr. Carson plans to vote regarding this appointment. Mr. Carson feels that Chapter 802 places a great deal of work in the office of BI, and he was supportive of getting additional full-time help (clerical) in this office. Mr. Carson's concerns on Mr. McHugh's performance involves whether or not Mr. McHugh is supportive of the Town Zoning Bylaws, supportive of the Planning Board and supportive of the Board of Selectmen. Mr. Carson cited the following issues which he feels question how supportive Mr. McHugh is of the zoning bylaws: Archer property; bldg. permits on land which the Planning Board still holds a covenant - Maynard Circle and Roan Drive; issuing Bldg. Permits prior to Planning Board cite approval - Scientia Drive. Other issues re: slowness in responding to zoning violations which Mr. Carson expounded upon were as follows: Alpa Wrecking; Hallberg case; Moe's Garage; Soucy Construction; Chelmsford Trailer Park; Burning Tree Lane; and a number of other issues too numerous to list in which there has been a history of slowness in responding to zoning violations, as well as the Pare case brought up again this evening by Miss Kelley, which has been going on for a number of years. There has been a history, Mr. Carson continued, of people doing things and obtaining permits for same after the fact. In summary, Mr. Carson questioned the support Mr. McHugh gives to the Town Zoning Bylaws, the priorities he places on his job, the support he gives to the Planning Board as their enforcing agent and finally, the support he gives to the Board of Selectmen as our agent in these areas. Vote on Mr. Shanahan's motion was as follows to appoint Peter J. McHugh, Jr., as Bldg. Inspector: two in favor - Mr. Shanahan and Mr. Hart; three opposed - motion failed. Mr. Murphy then asked if there were any other motions - Mr. Lovering moved that the Board appoint, on a temporary basis - interim only, for a period of a minimum of sixty days and a maximum of 90 days, Mr. Harold Tucke

Unfinished
Business
Appointment
of Building
Inspector

to act as both Bldg. Insp. and the Electrical Insp. at a rate equal to the current rate of the Bldg. Insp. - Mr. Lovering added that if this motion passes, he will ask that the Board advertise for the position of BI-Mr. Carson seconded this motion for the purpose of discussion. Mr. Murphy noted that one of the questions posed to Town Counsel was that should someone take the job on a temporary basis, if they were not notified before-hand that it was temporary, there might be a problem, therefore, Mr. Murphy stated that Mr. Lovering's motion should be conditional upon Mr. Tucke's acceptance of the conditions of employment and stating so in writing before-hand - Mr. Lovering amended his motion to include same. Mr. Lovering noted that he spoke to Mr. Tucke, individually, without the knowledge of any member of the Board and asked him if, in the event that the position of BI is unfilled, he would be willing to service the Town on an interim basis. Mr. Lovering stated that Mr. Tucke indicated that he was not campaigning for that position, but certainly if the Town felt that he could provide that service during the interim, he would come forward and do it - Mr. Lovering indicated to him that position would be strictly interim, and in no way would it be an indication that he was a firm or selected candidate for that role - he understood that completely; however, if the Board decides to provide coverage through the use of Mr. Tucke, Mr. Lovering is sure that we could get an appropriate arrangement with him, in writing, for legal protection. Mr. Shanahan stated that this is the first he has heard of the consideration of Mr. Tucke for this position, and while Mr. Shanahan feels that Mr. Tucke is qualified to serve in his current position, he has no knowledge whatsoever of his credentials for the position of BI - Mr. Shanahan's position is that the Board should not appoint anyone to a position until the person's credentials are considered and until, possibly, an interview is conducted. Mr. Shanahan suggested that the Board place a hold on this motion by Mr. Lovering until we have the opportunity to review Mr. Tucke's credentials and possibly speak to him as a Board. There have been a number of statements made with regard to the performance of the current BI and Mr. Shanahan suggested that if these are serious concerns we should not get back into a position which the Board considers very dangerous. Mr. Shanahan put a motion on the floor for a hold-Mr. Lovering stated that he does not feel a hold is necessary, as he will withdraw the motion for a week and we can address the matter at next week's meeting. Mr. Lovering was interested in one thing - in the event that a consensus could not be developed this evening with the BI - providing coverage for the community was Mr. Lovering's intent. Mr. Hart stated that the vote which the Board just took was a total disgrace, but this would be more of a disgrace. It seems that three members of the Board just agreed, himself not included, that they were not satisfied with the way Mr. McHugh operated over the last ten years. Mr. Hart stated that he imagined that the intent behind the vote was that we have a BI that would be more on top of things than the one we had in the past. Going back over the history of Mr. Murphy and Mr. Loverings' votes, they have been against Mr. McHugh for a few years now, and this certainly did not, in any way, help the operation of that Dept. In regards to this motion, it would seem that the period of time involved, and Mr. Murphy and Mr. Loverings' opposition to Mr. McHugh, they were probably hoping that the day would come when they could get a third vote-Mr. Hart thought they would have had someone in mind whom they thought could do the job. If we appoint Mr. Tucke to this position, and he agrees with Mr. Shanahan, that Mr. Tucke is very capable of doing his present job-we certainly would be doing a dis-service to the community by taking a man out of a position - he (Mr. Tucke) at our last Town Meeting felt that he was worth more money-he was in favor of his increase in salary over and above what the Town Mtg. voted because he felt his workload was there and he deserved a higher rate - to now ask Mr. Tucke to do his own job and the BI's job would definitely be a dis-service to this community - for these reasons Mr. Hart feels that the motion to appoint Mr. Tucke as the interim BI should go down in defeat. Mr. Hart stated that as we just defeated the BI, we should have the name of a replacement for him now, he would think - to leave that position unfilled is a disgrace, a total disgrace, Mr. Hart stated. Mr. Murphy said he feels it would be presumptuous for the Board to indicate who might serve until the Board has reached a decision - the majority of the Board agreed this

Discussion
re: appoint-
ment of BI
continued

evening that they were not happy; and the Board would solicit input in terms of people seeking the position. Mr. Lovering moved that the Board authorize the AA to proceed with the necessary advertisement for the position of BI for the Town of Chelmsford, including the Boston papers, local papers and municipal bulletins that could be of some help to us - Mr. Carson seconded this motion - vote was as follows: three in favor; two opposed-Mr. Shanahan and Mr. Hart. Mr. Shanahan asked of the majority of the Board when Mr. McHugh is expected to vacate his position-immediately?and is that office to be vacant? Mr. Murphy stated that the Board has some options in asking the State to provide an inspector on an interim basis with an option to appoint someone for a 30-day period. On a motion by Mr. Lovering, seconded by Mr. Carson, it was voted four in favor, one opposed-Mr. Hart, to request the State to appoint an inspector for the Town for a minimum of one week. Mr. Murphy stated that Mr. McHugh will be expected to vacate his office at the end of the pay period-we would expect an orderly departure, and Mr. Murphy stated that on May 3 Mr. McHugh would be expected to remove his personal belongings from his office. It is Mr. Murphy's obligation to notify him and forward an official letter regarding his termination. Mr. Carson stated that while he has only been on the Board for a short period of time, it is obvious that Mr. McHugh has served in this position for an extended period of time; there have been many questions asked by a number of people, including members of this Board who have been supportive of Mr. McHugh, and while Mr. Carson understands it is not within the province of the Selectmen to continue a person in terms of salary if the person is not, in fact, in that position, this is within the province of the Personnel Board, Mr. Carson made the following motion: On a motion by Mr. Carson, seconded by Mr. Lovering, it was four in favor; one opposed-Mr. Murphy, to notify the Personnel Board that we are in favor of a two-month severance pay for Mr. McHugh in view of his long service-while Mr. Shanahan is certainly in favor of showing some respect for Mr. McHugh in the matter of compensation, he intends to vote in favor of the motion; however, Mr. Shanahan suggested that when a majority of this Board decides that an individual's performance is not worthy of re-appointment to his position, the idea of extending eight weeks of salary to him is at least ironic, if not somewhat farcical-Mr. Shanahan will support the motion and he believes that Mr. McHugh deserves some sort of an award, but he feels this motion is ironic, to say the least.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint the following persons as School Crossing Guards, in accordance with the recommendations of the Chief of Police at \$4.26 per hour: Grace Auger, Helen Chafe, Janet O'Connor, Irene Corsetti, Joan Dillon, Karen Flynn, George Johnson, Jean McPhail, Halvar Peterson, Carol Souza, Diane Zebny; Alternates: Estelle Abely, Loretta Weaver, Cynthia Abely, Nancy DuFresne.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint the following persons as matrons at \$4.63 per hour: Grace Auger; Nora Clifford; Mary Long; Emily Peake.

On a motion by Mr. Shanahan it was unan. voted to appoint the following persons as Special Police Officers to serve without pay: Wm. Comeau, Frank & Stasia Wojtas- the Board will refer Chapter 932 re: appt. of Mr. & Mrs. Wojtas to Chief Germann and if he so suggests, we should apply for an exemption effective Sept. 1, 1978. The Board held on appt. of CETA Coordinator and Special Projects Assistant.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Stephen McDonald, 197 Tyngsboro Road, as Town Planner under the CETA Program, upon the recommendation of the Adm. Asst. at \$176.07 per week.

The Board discussed warrant articles. Re: article 25 - purchase of our parking lot at the Town Hall from railroad. Mr. Murphy stated that he has been informed by Mr. Pieri of the State Dept. of Trans. that the way in which the Legislation is written, the State has the first option to purchase that property. The State

Unfinished
Business
continued

Unfin. Bus.
continued

has requested that the Town recommend dismissal of this article - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to suggest a motion to dismiss article 25 at Town Meeting. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to invite the person involved with this matter from the State to meet with the Hghy. Supt. and Paul Bienvenu to discuss how we may be able to improve intersections where the railroad bolts, etc. are protruding at the Center of Town & Little League field on Chelmsford St., on a temporary basis - the State has agreed that perhaps something can be done, as long as it does not interfere with the railroad tracks.

The Bd. will send a true copy attest of the resolve to the Gov. & Legislature; re: audit article-Mr. Murphy informed the Bd. that the State Bureau of Accounts is running five years behind re: community audits-they are proposing additional staffing they are proposing completing all cities & towns with an annual approp. in excess of \$20,000 annually; between \$10,000 and \$20,000 every two years; and under \$10,000 every 3 years...we had an audit two years; re: Central Square and Town Meeting vote, on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to meet with reps. of the Chelmsford Business Assoc; Hghy. Dept. and Police Dept; as well as Storch Engineers within one month to discuss any viable alternatives the Town could explore regarding this matter; all of these articles and recommendations as indicated above were so moved on a motion by Mr. Shanahan, seconded by Mr. Carson - re: audit. (private), Mr. Murphy suggested that the Treas. & Town Acct. be contacted for their recommendations - E. Day will get this together & solicit info. re: specs and time-table for the Board for proposals, not bids; the Board awarded bids for the Hghy. Dept. Equipment to recommended firms on a motion by Mr. Shanahan, seconded by Mr. Carson and approved placement of the orders for the seven items bid in Mr. Maher's memo of April 29, 1978; the Board held on action re: drainage alleviation - **regarding projects**, Mr. Carson requested that the Board instruct Mr. Bienvenu to furnish them with reports on drainage problems requested for survey in the past - Noble Drive, and others, Colonial Terrace also, before the Board sets any priorities on this work - the other street was mentioned in Mr. Bienvenu's February memo to the Board; re: Central Square, Mr. Murphy will contact Storch by phone re: final billing, etc; Re: Graniteville Road-we will obtain plans and specs from the County Commissioners; Re: nepotism article, we will forward same to the Personnel Board, on a motion by Mr. Lovering, seconded by Mr. Shanahan, unan. voted by the Board.

Re: STM article assignment, Mr. Murphy announces same and requested that if any Bd. Member would like to change an article assigned to him, he could contact Mr. Murphy this week: 1)PCH; 2)PCH; 3)WRM; 4)JBS; 5)AJL; 6)JWC; 7)WRM.

Item 14 - corres. from Cons. Comm. re: request to put articles in STM Warrant - it is too late as the warrant has been posted - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to inform the ConsComm that these articles will be held for a future Town Meeting, as the BOS do not feel that a quorum could be gathered for just these 3 articles-the Bd. supported the AA's recommendation.

Item 16 - corres. from Paul Bienvenu re: Fletcher Street Project - on a motion by Mr. Carson, seconded by Mr. Lovering, it was unan. voted to invite Mr. Bienvenu to the Sel. Mtg. on May 9 to discuss this memo and bills for Fletcher Street work.

Item 18 - corres. from CETA Administrator re: summer program - the AA informed Mr. Carson that each Dept. Head will provide her with their requests for summer help through the Neighborhood Youth Corps Program - he reminded her that the requests must be submitted by the first of June to Lowell.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

Correspon-
dence Sum-
mary

Mr. Shanahan stated that with regard to the Board's Meeting of April 29 (Special Meeting with Town Counsel to discuss options available to the Board re: Bldg. Insp.), Mr. Shanahan was not either prior to the meeting or in hindsight, in favor of holding a Special Session of the BOS on a Saturday afternoon to discuss what has developed into a very significant issue in the community. Mr. Shanahan received numerous calls on Saturday evening re: outcome of the meeting; many inquiries received were as a result of a newspaper article which stated that the meeting had been called by the Board, and, there was an anticipation that the Board would go into Exec.Session-needless to say there was no one present from the public or press for that meeting - the mtg. took all of ½ hour, and in Mr. Shanahan's opinion, nothing was discussed which could not have been considered at a mtg. on Monday or Tuesday-there were no motions made by any Bd. Members to enter Exec.Session. Mr. Shanahan stated that he does not think that the procedure taken by the Board was an endorsement of the Open Meeting Law as set forth in Section 16 of the Public Records & Public Meeting Law; nor does he believe that it is in the best interest of the community to have mtgs. called on important issues on 48-hours' notice, which is all the notice Mr. Shanahan received regarding this meeting. Mr. Murphy stated that the concern was that the Board could explore items with Counsel, some of which may have required research; the only way the Bd. could hold a mtg. was to call a Special Meeting and in discussing the matter with the Press, Mr. Murphy believes it was indicated that the motion was for Exec. Session, but we would open in Open Session&that based on discussion with Town Counsel could not see going into Exec.Session. Mr. Murphy stated that maybe there was a communication gap there. Mr. Hart stated that we can't move to go into Exec.Session in advance of a meeting-the way it was printed in the press helped keep people away from the meeting, and it was part of the whole charade that was carried on before the episode that took place here tonight and Mr. Hart thinks that the way it was handled speaks for itself. Mr. Shanahan stated that on the matter in that regard, a public apology should be made for the procedure adopted by the Board, although Mr. Shanahan did not endorse it. A number of people who contacted Mr. Shanahan were of the opinion, in these times of suspicion as far as governmental bodies are concerned in any way, that something was going on that the Board did not necessarily want people participating in, and if that image was connoted, Mr. Shanahan apologized to the press and to the community as a whole.

Further discussion re: Mtg. April 29 re: appointment of BI

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to ask the HD to repaint the crosswalk lines on Chelmsford Street near the Little League Field, as well as other crosswalks near Little League Fields which are subject to frequent use to determine if they need repainting also.

New Business

Mr. Shanahan publicly congratulated the Chelmsford Fire Dept. on the manner in which they handled a fire on the shore of Mill Pond on this date - they responded to the fire in a timely fashion, as they do with other fires in Town - Mr. Shanahan stated that too often, their deeds are considered routine.

Mr. Carson responded to Mr. Hart's comments regarding the Special Meeting held on Saturday, April 29 re: Building Inspector. Mr. Carson objected to Mr. Hart's characterization of the session tonight as a "charade" - he objects to the use of that sort of a term. Mr. Carson stated that he does not participate in any charade and he tried to explain to Board Members, as well as the public & press the thought process which he went through and he certainly did not go into this with his mind made up. Mr. Carson stated that he believed that the motion which he made last week was that the Board meet with Town Counsel and if necessary, go into Exec.Session - if there was some conclusion by the press (obviously we have to go into open session before going into an exec.session) he apologized for the confusion. In response to Mr. Shanahan's comments concerning the need for the mtg. on Saturday, Mr. Carson felt that it was important that the Board meet on Saturday so that they could get the info. they received from Town Counsel, and if there were any outstanding questions, Town Counsel could develop answers to

Further discussion re: April 29 mtg. re: appointment of BI

same. Mr. Carson personally was opposed to meeting with Town Counsel on this evening - finding questions unanswered and finding it necessary to postpone this reappointment for another week.

New Business
continued

Mr. Carson re-addressed a problem brought before the Board this evening at their open session 7-7:30 PM by Mr. Charles Watt re: use of his property by vendor of flowers at 89 Chelmsford Street - the vendor is Alan Liguori - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was voted three in favor, two opposed - Mr. Murphy & Mr. Shanahan, to hold on both of the licenses granted to Mr. Liguori by the Board last week, until the Board meets with Mr. Liguori on May 9 to re-discuss these licenses & approval of same - the person who signed the application for license at 89 Chelmsford Street was not the owner of record - Mr. Liguori should bring proof that the owner of record signed the application. Mr. Shanahan has no concern re: license granted at 90 Drum Hill Road, approved last week by the Board.

The Board addressed item discussed at 7:30 PM with Mr. Joseph Hannon of NMAC & Robert Flynn re: pre-application for Com. Devel. Block Grant for Small Cities Program to HUD. The Board agreed to hold on discussion or vote re: this matter until after Mr. Shanahan attends a mtg. of the Task Force for the MCTS tomorrow - when Mr. Shanahan attends same, he will contact the AA by telephone regarding outcome of the mtg. which may effect the Board's decision on submission of this application. The AA does not feel that the application could be properly submitted within two weeks time. Mr. Shanahan feels that the question may become moot after the hearing on May 3.

Further discussion
re: appointment of BI
and mtg.
April 29

Mr. Hart explained his use of the word "charade" earlier this evening in describing actions re: Building Inspector's appointment this evening. Mr. Hart stated that the word "charade" is probably not as harsh a word as he should have used - he thinks it is quite obvious what has gone on in the area where the BI is concerned. In regards to a mtg. which was held on Saturday, Mr. Murphy & Mr. Lovering did support that meeting, in the past when Mr. Murphy & Mr. Lovering did not vote to reappoint the BI, they did not require this type of meeting, and Mr. Hart does not think that they really required this meeting this time - this meeting would not have made any difference in their votes, going by their record - that gives a good idea of Mr. Hart's opinion on their concerns and why the meeting was a charade as far as they were concerned. Regarding Mr. Hart's reason for putting Mr. Carson in the same area as Mr. Murphy and Mr. Lovering, earlier this evening Mr. Carson stated his reasons for voting against the BI, and probably any person in this Town who works for this Town, whether it be the BI, Town Counsel, or the Wiring Inspector, or Dog Officer - if we wanted to find a few areas where we wanted to publicize the people and state the reasons we wanted not to reappoint them - we could easily find some areas where their jobs were not done perfectly, not that any of us are perfect. Mr. Hart further stated that he would have thought that if Mr. Carson was sincere (after Mr. Carson's election it was written in the Lowell Sun, whether Mr. Carson said it or not, that his viewpoints were the same as Mr. Murphy and Mr. Loverings') considering the fact that Mr. Hart has been on the Board for many years and has dealt with the BI before the BI had the problem of having members of the Board who were always against him, looking over his shoulder, that Mr. Carson would have contacted Mr. Hart in trying to find out both sides of the issue. Mr. Hart thought that Mr. Carson would have asked him his opinions and his reasons for supporting the BI. In fact, Mr. Carson and Mr. Hart both know that Mr. Carson did not ask Mr. Hart for his opinion; therefore, Mr. Hart feels that "charade" was a very easy word, and that explains Mr. Hart's use of the word.

New Business
continued

Mr. Hart requested that the press take cognizance of the fact that the Town, at this point in time with no rain, has been quite susceptible to fire. There are a lot of dried leaves around and he requested that people be very careful in any of their outdoor activities without hazardous fires occurring in Town.

Mr. Murphy requested a report re: salt storage shed, the North Chelmsford Water Commissioners are anxious to receive same.

New Business
continued

Mr. Murphy received a letter re: access to public buildings by handicapped persons; height of telephones; parking areas which might be close to buildings; and what we should be looking to in terms of the McFarlin School. Within one month's time we will invite the Chairman of the committee on same to a Sel. Mtg. to discuss this matter and their requests. Also, a gentleman was concerned with Wildes Road-the AA will invite him to this meeting also. Mrs. Phyllis Dougherty is the Chairman of the committee.

Mr. Murphy then asked for comments from the students regarding the operation of this evening's meeting. George Barnard, Adm. Asst., stated that he found the meeting interesting-he found controversy at the meeting and he may come back to another meeting. Mr. Murphy stated that the students are invited to tour several Town buildings on Friday at 4PM starting at the Town Hall. The next Sel.Mtg. is Tuesday, May 9, 1978; Town Meeting is May 11, 1978.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:45 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen, held May 9, 1978. Members present were: Mr. Murphy; Mr. Shanahan joined the meeting in progress at 8:45 PM; Mr. Carson and Mr. Hart. Mr. Lovering was not present due to a family commitment. Mrs. Haines, Adm. Asst. was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Members
Present

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to proclaim the week of May 6 - 13 as Massachusetts Litter Olympics Week in Chelmsford.

Proclamation

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to proclaim the week of May 14-20 as Municipal Clerks' Week and congratulate Mrs. St. Hilaire, Town Clerk and her staff on their contributions to the Town.

Proclamation

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to adopt the minutes of the May 2 meeting, as corrected.

Minutes
Adopted

Mr. Lovering provided the Board with a memo re: status of the Recycling Program which Mr. Murphy read in his behalf. On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to authorize expenditure of \$2,500 for the hot topping of the area at the landfill & installation of the pads, as recommended by Mr. Lovering.

Board Reports

Mr. Murphy, as the Town's Legislative Liason, received a Legislative Alert re: Senate 1510 concerning control of MBTA costs. On a motion by Mr. Hart, seconded by Mr. Carson, it was unan. voted to inform our Reps. & Senator that we would request that they vote for S-1510-it is an important bill for local governments since it takes the first step toward controlling the incredible MBTA deficit by removing automatic cost-of-living salary increases for MBTA personnel and insisting on municipal ability to pay criteria for arbitration awards involving MBTA employees - the AA will telephone our Reps. & Senator on May 10 to relay this request, which will be followed up by written communication.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to approve mileage for CETA Town Planner Stephen McDonald not to exceed \$40 per month.

AA Reports

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to endorse a Req. for Trans. from the Reserve Fund for Town Counsel Legal Fees in the amount of \$3,762.60 for various litigation matters.

AA Reports
continued

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to authorize Mrs. Haines to contact Rep. Freeman and the State re: status of Route 495 fence at Rest Area & clearing of brush.

The AA provided Board Members with a proposed Summer Schedule for Selectmen's Meetings - in the past it has been the Board's policy to meet every other week during June, July & August. The AA will place this item on the May 15 agenda for a vote.

At 7:45 PM Sealed Bids were opened for Girls Softball Requirements for 1978 - they were as follows: Boston Bruins Pro Sports Shop-\$3,580.75; Tri-Con Sports-instant ice-\$10.95 per case; Brine Co-12 catchers helmets-\$118.20. On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to refer the bids to the PA for review & recommendation for bid award.

The Bd. will hold on appointments until the full Board is present on 5/15 - Mr. Lovering had requested a hold on Appeals Bd. & Cons.Comm.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to appoint John DiBerto, 5 Stevens St. as CETA Library Custodian at \$3.93 per hour, as recommended by the Library Asst. Director.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to appoint Frank Linsley, 33 Brentwood Road as CETA Coordinator at \$176.07 per week as recommended by the Adm. Asst.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to approve mileage for the CETA Coordinator, not to exceed \$40 per month.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to inform Mr. Hannon that the Board chooses not to apply for HUD funds for the Small Cities Program re: adaptive reuse of the MCTS, in view of the fact that Mr. Shanahan recommended that the Bd. not submit an application; also, in view of the time restraints, we will not submit an application at this time. Mr. Hart stated that every time we try to apply for funds of this nature, we are too late for proper application. The Bd. will apply for this project if and where there is a second round of funds.

Re: Building Inspector, Mr. Murphy read a letter received from the Dept. of Public Safety - John F. Kehoe, Jr., Commissioner, informing the Bd. that the State is temporarily appointing Louis Salemi to fill the position of BI - Mrs. Haines informed the Board that Mr. Salemi will be in the BI's office on Tuesdays & Thursdays from 9-12 Noon until further notice - he receives \$50 for a half-day. The position has been advertised in the Boston Globe, Lowell Sun and Chelmsford Newsweekly-resumes will be accepted until May 26-Mr. Carson suggested that the AA determine if Mr. Salemi will be here for 30 calendar days or 30 work days-resumes will be screened and interviews will be scheduled.

A Public Hearing was held on the application for a change in premises of Dean's Food, d/b/a The Glenview Lounge, 248 Princeton Boulevard. Atty. John Carragher represented Mr. Harold Kacy, Manager of The Glenview Lounge-all return receipts were presented at the 8PM Public Hearing. Atty. Carragher presented a plan including the proposed 150 seating for the entire restaurant; the zoning allows for a business of this nature in this location, as same was changed at the 1977 ATM. Atty. Carragher stated that there are 57 parking spaces detailed on the plan; Mr. Kacy stated that actually, there are some 70 parking spaces on the premises. Mr. Murphy asked if anyone was present opposed or in favor of the change in premises. Ms. Betty Mae Flaherty, 8 Harvard Street, stated that cars on the premises park on the sidewalk, as the lines for parking extend to the edge of the roadway. Mr. Kacy stated that he will gladly have a line painted for 'No Parking' where the cars currently park on the sidewalk. On a motion by Mr. Hart, seconded by Mr. Carson, it was unan. voted to grant the change in premises for The Glenview Lounge as presented.

Bid Opening:
Girls Soft-
ball Require-
ments

Unfinished
Business

Public Hear-
ing: change
in premises
for The Glen-
view Lounge,
248 Princeton
Boulevard

Item 13-corres. from the Office of State Planning re: Governor's Conference on Community Revitalization - the AA informed Mr. Murphy that she has already instructed the Town Planner to attend same on May 25.

Item 11 - corres. from the Cons.Comm. re: mtg. on protecting ground water supply on May 23 - Mrs. Haines informed Mr. Carson that this mtg. will be held in Town Hall.

On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and to include same in the minutes of the meeting by reference.

At 8:15 PM the Board held a Public Hearing on a request for a Gasoline Storage License at 76 Middlesex Street by Raymond Marchand for 70,000 gallons underground of #2 home heating fuel and 20,000 gallons underground of gasoline. Return Receipts were presented to the AA, some of the persons on the abutter's list had moved and therefore, Mr. Marchand had forwarded the receipts to the correct parties. This hearing was held in the outer hall due to the size of the crowd attending same. Mr. Marchand was present, as was Atty. Howard Hall, representing Mr. Marchand, and Mr. Brian Marchand. The Board allowed a few minutes for the abutters to review the plans for the underground storage. According to the land court, the property is approx. 94 feet from the railroad to the beginning of the property, as indicated on the map; the property is 87½ feet in frontage and from that point to Church St. is 303 feet; the land is industrially zoned; the home heating fuel is sold primarily to residential customers, but there are a few industrial accounts; the gasoline is exclusively sold to industrial accounts (about 6-7 major accounts); also proposed on the plan is a bldg. which is not there currently, it will be used as a garage which will be built in conjunction with the proposal; the location for the tanks was chosen in accordance with State regulations that they be located 30 feet from a lot line; the tanks would be mechanically loaded from inside the bldg., therefore, when the business is not in operation, the pumps will be shut off; the tanks are metal-there are 7 tanks containing 10,000 gallons each-the vehicles will enter the property from Middlesex Street, at the right of the existing structure (a two-family house)-it would be a circular drive. Mr. Stanley Norkunas, 58 Church Street stated that he understood the zoning bylaw to indicate that there must be 40 feet frontage from the nearest property line in an Industrially Zoned area - the plan submitted indicates only 30 feet-after review of the bylaws, Atty. Hall indicated that the 30 feet frontage would be in violation of the bylaw-he will correct same to reflect 40 feet; there was a soil survey performed on the area, unfortunately, the engineer who conducted same could not be present this evening-Atty. Hall will obtain the results of same and forward them to the BOS; the tanks will not be aboveground-a cement slab will be placed over the tanks, in order that trucks could drive over same; Mr. Norkunas questioned the garage in this area-under the zoning bylaw a warehouse would be permitted but not a garage-after review of the bylaw provided by Mrs. Haines, Atty. Hall stated that what would be considered in the garage would be bulk storage, which is allowed under the new zoning bylaw in an IA District. Reginald Larkin, 102 Middlesex Street asked how close the underground tanks are to the RR lines tracks-Atty. Hall stated no more than 2-3 feet from the property line; and another 60 feet to the center line of the tracks; from the rail it is about 30-35 feet-Mr. Larkin brought this matter up for environmental purposes re: vibration & leakage from the tanks. Mr. Marchand stated that there are strict regulations of the Federal Government re: guidelines & EPA regulations for underground storage of this type which must be met. The application was approved for safety by the Fire Chief. Dr. Paul Panagiotakos asked if the question of derailment was considered-Atty. Hall the specs. to which the tanks will be built & installed will allow fully-loaded trucks to drive over the heavy concrete pads-centrifical force would tend to throw the train away from the property, not into it-Atty. Hall stated that he will request his engineer to provide an opinion on this to the Selectmen, in writing. Mr. Larkin, formerly of 72 Middlesex St. asked who owns the land where

Public Hearing: Request for Underground Gasoline Storage license at 76 Middlesex St. by Raymond Marchand

Marchand
Public
Hearing
for Under-
ground Sto-
rage
continued

the tests were conducted-Mr. Marchand stated that test holes were dug; Atty. Hall stated that tests conducted were more than satisfactory - 10 feet-no water; perk-2 minutes; test hole-12 feet; 10 feet down-the grade is fairly level. At this point in time (8:45 PM) Sel. Shanahan joined the meeting. Mr. Morrissey of 64 Church Street stated that due to the fact that Mr. Marchand must meet Federal & State regulations should be a good indication to the BOS that there is a potential danger and a hazard compounded by trains running in that area. Mr. Marchand, in answer to an allegation by Mr. Morrissey, stated that there is no entrance on Church Street intended to ^{give} access to the tanks...access will be from Middlesex Street only-this can be included on the permit. The tanks are 10-6 diameter-about 15 feet long and the 8 ft. diameter are about 22 feet long; they have gone down 12 feet with no problem; the engineer has plans to bring the floor of the garage up 1½ feet (the top of the slab would be over the ground, not the tanks). Mr. Mongovan, 61 Church Street stated that the slab will be 1 ft. above-the ground-Atty. Hall stated that if the abutters want it left at ground level, they are willing to leave it at ground level. Mrs. Arsenault, 60 Church Street asked how the residents could be assured that the tanks would be left at a certain level-Mr. Murphy informed her that the Bd. could place a restriction re: same on the license. Mrs. Arsenault further stated that she feels that the railroad tracks compound the threat, the tanks by themselves would be a threat - and together, they compound the threat. Atty. Hall stated that he will ask the engineer to forward the Bd. a written report on the vibration impact. Mr. Morrissey stated that if this license is granted, the integrity of the neighborhood will be lost. Ms. Evelyn Bell, 98A Middlesex Street asked if the Fire Chief viewed the premises-the AA telephoned Chief Reid at this time and was advised by Chief Reid that he viewed the premises himself prior to signing the application. Mrs. Stanley Norkunas, 58 Church Street, stated that the land in question is very small and she does not see how the tanks can be stored in so small an area. Mrs. Arsenault asked if Atty. Hall or the Board members have stood in her yard and seen the sparks as the trains go by - they have not was the answer from Atty. Hall. In answer to a question from an unidentified resident, Mr. Marchand stated that he is currently renting storage in Chelmsford on Stedman Street, and the number of trucks intended to be in the new garage will be two delivery trucks; 2 service vans; and 1 pickup truck-he is trying to consolidate the business at the new location. Raymond & Brian Marchand are the sole operators of the business; Mr. Marchand informed the residents that the EPA has a spill prevention program which will contain as much as 10,000 gallons. An unidentified resident stated that there are 9 children in the immediate neighborhood and there is nothing at the end of the property-no fence-to stop children from entering the property. In answer to a question from Mr. Hart, Atty. Hall said that if a fence were one of the stipulations in granting the license, his client would comply with same. Mrs. Arsenault stated that she has been advised that there are 8 brush fires, or more, at this location throughout the year. Mr. Marchand stated that there is sufficient room for a tractor-trailer to drive around the driveway. Dr. Panagiotakos asked what the cycle time is for 90,000 gallons-Mr. Marchand stated in the wintertime it is about 3 weeks; delivery of capacity of trailer is 8,000 gallons; there would be approx. one delivery every other day; or in Dec., Jan., and Feb. about one dozen deliveries per week; in the wintertime the trucks would come every other day. Mr. Stanley Norkunas, 58 Church Street, stated that in that particular area there is a high water tank, and he feels it is important to review the engineering survey-Atty. Hall stated that the test went down ten feet-the tanks will be tied down and in case of high water, they will be located below the water table. Mr. Norkunas presented the Board with three (3) photos coming in from Middlesex St. of the driveway and the premises in question, showing Mrs. Campbell's home and a number of residences on Church Street, the abutting street; Mr. Norkunas wanted to assure that the Board was aware of the case of Davidson vs. the Board of Selectmen of Duxbury, he requested that the Bd. take same into consideration same, as well as the safety aspects, propane gas trucks travel over that line, explosions have occurred around the country and if there was an explosion, the whole area in question would go up-the residents of the area believe there is a substantial amount of

nuisance to themselves, there is an emotional and physical aspect to this-very heavy truck traffic; people will believe the area is combustible; it will provide a severe detriment to the residents; and even though it is zoned as an IA District, the area is substantially residential-they would like to protect the integrity of their neighborhood. Presently in an IA District there is only a 40-foot barrier; if it was zoned residential, which the residents hope it will be next year, they would have a 100-foot barrier. In answer to a question from Mr. Morrissey, Mr. Marchand stated that a 10 ft. six in. diameter is approx. 15 to 16 feet, and they went down 12 feet when they did the profile of the land. Mrs. Arsenault stated that there is already an oil company in their neighborhood and they do not wish to have another one in their neighborhood. Atty. Hall stated that the surface is subject to review by the Planning Board on site plan review, and Atty. Hall stated that he is certain that the outcome will be aesthetic. Atty. Hall offered his final comments re: type of facility; zoning of area; amount of traffic; consideration of the integrity of the neighborhood; safety consideration; spillage. Mr. Norkunas asked when the Bd. would make their final disposition on this application - Mr. Murphy assured him that the Adm. Asst. will notify the residents, through Mr. Norkunas acting as their spokesman, of the date of this vote-the Adm. Asst. will forward a copy of the minutes of this meeting to Atty. Hall and to Mr. Norkunas. On a motion by Mr. Carson, seconded by Mr. Hart, it was unan. voted to hold on a vote on this application pending receipt of the following: 1) report from the engineers which define exactly: a) calculations as far as structural integrity is concerned, in particular not only the question of vibration, but the question of derailment also-can that be withstood; b) elevation of the slab; c) sparks from the train; 2) report re: general environmental concern re: oil spills & sparks; 3) police, traffic & safety reports, in particular question of traffic volume and safety from the standpoint of children in the neighborhood & report from Police Chief; 4) definitive report from Fire Chief in terms of his inspection of premises and his approval of plan; 5) report from Mr. Tarbell of the State re: EPA approvals of this.

At this point in time the Board reconvened to the regular meeting room.

Mr. Murphy informed the Board that Ms. Penny Medico, who had requested a Dog Hearing re: problem her own dog was having caused by a dog owned by Mr. George Gervais, 8 Danforth Lane, could be cancelled due to the fact that Ms. Medico's dog had been killed, and therefore, the problem no longer exists. The hearing was scheduled for 8:30 PM.

At this point in time the Board met with J. Paul Bienvenu, Consultant for the Highway Dept. re: discrepancy in Fletcher Street bill by the Contractor, N. Pandelena & Son. After lengthy explanation of the bills and history of the bills, Mr. Bienvenu explained that the final bill which he approved came to \$54,150.18-the original bid was \$50,598 and the final bill was \$3,552 over the bid price. There were change orders and the contract was based on unit price. Mr. Pandelena has issued a request to be released from the contract in a Dec. 8 letter to the BOS, in view of the fact that the poles were in the way on Fletcher Street due to delay in removal of same - Mr. Bienvenu stated that Mr. Pandelena had requested \$21,391 in addition for a total of \$65,621 - or an additional \$11,970. Mr. Bienvenu suggested that the Board alert Town Counsel of this matter, in case any litigation transpires. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to forward a letter to the prime contractor, Mr. Pandelena, indicating that due to discrepancies in the final bill, we feel there is need for no further payment to Pandelena on this particular contract - the Town made its final payment on 2/18-we will take no action re: Town Counsel until we hear from the prime contractor.

At this time the Board met with Al Liguori re: his application for a vendor's license at 89 Chelmsford Street which was not signed by the owner of record and brought to the Board's attention by Mr. Charles Watt, owner of record, at last week's meeting. The Bd. also discussed Mr. Liguori's license at 90 Drum Hill Rd.

Marchand Public Hearing
for Underground
gasoline storage
continued

Dog Hearing
Cancelled

Mtg. with J.P.
Bienvenu re:
Fletcher St.
bill submitted
by N. Pandelena & Son

Mtg. with A.
Liguori re:
Vendors' license
application
discrepancies

Mtg. with A.
Liguori re:
discrepancy
in Vendors'
License
Applications
continued

Mr. Liguori presented the Bd. with a note from the Assessor's Office indicating that Annette Blackie was the owner of record of land at 90 Drum Hill Road, as indicated on Mr. Liguori's license application. After speaking with Mr. Watt, Mr. Liguori was informed that he cannot sell flowers at 89 Chelmsford Street, as this would be in violation of the lease which Mr. Watt holds with his tenant at this location. Mr. Heild is the proprietor of the gas station at 89 Chelmsford St. and had signed the application; however, he leases same and is not the owner of record. As Mr. Liguori was not able to secure a license at 89 Chelmsford Street in view of the above, he submitted an application for a vendor's license at 86 Chelmsford Street and the application was signed by the owner of record and verified by the Board of Assessors Chairman--owner of record is Henry Finneral and Mr. Liguori would like to have the license at 86 Chelmsford St. issued for Mothers' Day only. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve license at 90 Drum Hill Road to sell flowers, flowering plants and Christmas Trees for the following holiday weekends: Mothers' Day; Easter; Memorial Day; Labor Day and the Christmas Season from 9am to 7pm; and approve license at 86 Chelmsford Street to sell potted plants and flowers for Mothers' Day from 9am to 7pm. The Bd. agreed that there was sufficient parking at 86 Chelmsford St. and the license would cause no safety problem in this area.

New
Business

At the 7-7:30 open session this evening, Dr. Paul Panagiotakos informed the Bd. of a problem on Middlesex Street re: razing of some property a number of years ago and he is concerned with actions eminent in the courts - Dr. Panagiotakos responded to the problem some time ago and he feels that the Town should review the situation. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request Town Counsel to review this entire matter; re: question of sewerage on the Doctor's property on Middlesex, the Board agreed to inform the Board of Health of this problem and inform the BOH that Dr. Panagiotakos will be approaching them to review the problem which stems back to 1960-63.

Mr. John Balco of the Cons.Comm. met with the Board informally at 7:20 pm re: 3 articles which the Cons.Comm. requested be included in a STM Warrant re: purchase of land - he requested that the Bd. reconsider their vote of last week not to include same in a STM Warrant at this time. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to notify the Cons.Comm. that the Board will, in all probability, call a STM in the not too distant future for the Town Hall Union Contract, and the articles could be included in this warrant. The Bd. does not feel that the Town could reach a quorum for just these 3 Cons. Comm. articles.

Mr. Shanahan requested the Police Dept. & Hghy. Dept. to check the area of Fuller Road & Clinton Avenue for recommendations to install some type of caution sign in this area-the house at the corner on Clinton Avenue which is addressed and numbered as being on Clinton Avenue, has an egress onto Fuller Road and it is turning into some type of drag strip in late afternoon & early evening. The resident who contacted Mr. Shanahan questioned the legality of this, and if it is legal, the resident requested installation of a caution sign. The AA will contact the Police Dept. re: legality of same, as well as the Highway Dept.

Mr. Shanahan has become aware of a problem on Spring Street near Crystal Lake - with the good weather coming the street has become quite busy, and there are a number of children in the area - the AA will ask the Police & Highway Dept. to install a cautionary sign with regard to children in the area.

Mr. Shanahan has been made aware of a house which was razed on Fletcher St. next to the Greenwood residence and last week there were five unregistered vehicles and 1 tractor-trailer being worked on in the vacant lot-the AA will determine what is transpiring at this location.

Mr. Shanahan, at the request of the Board two weeks ago, contacted the Foundation for Humanities, Inc. re: their request to purchase facility in Chelmsford--without going into details, Sel. Shanahan recommended that the Board, after contacting Dr. Yahuchi via telephone, pursue the matter no further. If any Bd. member would like specifics, Mr. Shanahan would be happy to speak to the member(s) after this mtg.

New Business
continued

Mr. Carson suggested that the Board meet informally with members of the Chelms. Bus. Assoc. to discuss Central Square prior to the mtg. which is to be scheduled within one month's time - Mr. Carson volunteered to act as the Bd's. Rep. in this matter-the Bd. approved of same.

Mr. Carson said that he has noted the existence of a flower stand at Westlands Motors - they have no vendor's license at this location across from East Gate Plaza and he suggested that the AA ask the Police Dept. to investigate same.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn to Executive Session at 10:21 PM to discuss the reputation and character, physical condition or mental health of a single individual; and, to discuss strategy with respect to Collective Bargaining. Roll Call Vote was as follows: Mr. Shanahan-Aye; Mr. Carson-Aye; Mr. Hart-Aye; Mr. Murphy-Aye.

Adjourn to
Exec.Session

At 10:45 PM the Board returned to Open Session. Mr. Shanahan stated that he has received many complaints re: the absence of the Board of Selectmen at the Camp Paul Dance on May 6-the Adm. Asst. was present, however. Mr. Shanahan stated that there was someone there representing the Board of Selectmen - he suggested that the Bd. address a letter to Camp Paul indicating that due to prior commitments, the Bd. could not attend; however, there was a rep. of the Board present-Mrs. Haines. Mr. Hart stated that Mrs. Haines was not present on behalf of the Bd. she was there on her own-Mr. Hart further stated that he was not personally invited to the Dance. Presentations at the dance on behalf of the Board were made by the Town Clerk & Chairman of the Board of Assessors, and the Bd. does not feel that this was appropriate, in view of Mrs. Haines' attendance. Mr. Murphy stated that there was no official invitation to the Board-he received a telephone call on Saturday from Mrs. Gilchrist asking if he could attend. Mr. Hart stated in past years, if an organization had a function, the organization would contact the Chairman of the Board to attend same. Mr. Hart stated that if the Board attended every function they were requested to attend, the matter would get out of hand, and he is not in favor of sending any letter to Camp Paul. Mr. Murphy stated that he will contact Mrs. Gilchrist and explain the above. Mr. Hart stated if the Board is supposed to make some sort of a presentation at a function, and they cannot attend same, they should have a representative attend on their behalf, and in the case of Camp Paul, the Board would have had a rep. there if they were so requested. Mr. Hart feels that in the future, if we receive a letter in the Office or at homes of the Board Members, the Bd. should present it to Mrs. Haines and have her contact the writer to ask what they request of the Selectmen.

Return to
Open Meeting

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:47 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

Jurors drawn May 15 by Sel. Murphy: for Cambridge - Elaine Dionne, 9 Ansie Road, John Dubey, 45 Dunstan Rd, James Durkin, Jr., 8 McFarlin Road, David Wilcox, 205 Graniteville Road-all to serve 7/5/78.

Jurors
Drawn

Regular Meeting of the Chelmsford Board of Selectmen held May 15, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Lovering and Mr. Hart. Mr. Carson was not present as he was out of Town on business. Mrs. Haines, Adm.Asst. was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adopt the minutes of the Special Meeting held April 29 and the Regular & Executive Sessions held May 9, 1978.

Mr. Lovering reported on the status of the Recycling Program. The volume of recycling continue to be substantial. Mr. Lovering and Mrs. Haines will attend a mtg. on May 16 at 10AM in Salem at Matcon to discuss Glass Containers Corp. contemplation of changing the definition as to what are acceptable recyclables- this will have a change on our program and the programs which effect Waltham, Salem, Somerville, Stoughton, Newton, etc. Mr. Lovering will advise the Bd. of the outcome of this mtg.

Mr. Murphy presented each Bd. Member with 6 pages of material which were shown on a viewgraph dealing with the Board of Selectmen's Schedule; Selectmen Assignments; Related Town Committees; Matters BOS are currently working on; Matters Adm.Asst. & Dept. Heads are working on. Mr. Murphy explained that he feels that with the aid of the viewgraph, everyone in the audience will be aware of what the Board is talking about and items will not be left unwatched. This will be placed on the May 22 agenda for further discussion, and Mr. Murphy welcomed the Board's comments on same.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to approve Tag Days for the Notre Dame Panther Band on May 18 & 19 as requested.

Mrs. Haines informed the Bd. that on this date she received a request for a 1-Day All Alcoholic License for the BayBank/Middlesex for their opening on May 16 from 6PM - 10PM. Per his April 26 Point of Privilege, Sel. Shanahan abstained from voting on this matter - on a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to approve this license, pending verification that they have received an occupancy permit for same.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to approve the following requests for trans. from the Reserve Fund for the FinComm's approval: Insurance:\$328.60; Legal Expenses:\$647.65; Sel.Expenses:\$600.

Mr. Maher provided the Board with a report on the rental of the sweeper, which Mr. Murphy read. He has been informed by Casey & Dupuis that the sweeper which they proposed to lease to the Town on April 6 has been sold by their branch in CT and is no longer available-they have no other sweeper available at this time. Mr. Maher therefore recommended that the Bd. lease a sweeper from Barrington Co. Inc. in Lexington which will cost \$3,000 per month-it has 4,000 miles on it and is a 1975 Wayne Sweeper. After discussion, it was agreed not to accept Mr. Maher's recommendation, as Mr. Hart stated that a 2-year old sweeper is not what the Town is looking for - Mr. Hart suggested that Mr. Maher contact the State Employee at the Chelmsford Yard to recommend names of firms which he may contact re:rental of sweepers - Mr. Maher will get back to the Board with his findings. Mr. Shanahan suggested that in the future, we should request a validity period on how long a proposal will be valid as indicated in the bid price & specs-the Bd.agreed with him. Mr. Maher notified Casey & Dupuis that the Town was very unhappy with this matter, and they may be disqualified as a bidder in the future.

Mr. Carson informed Mr. Murphy on 5/14 that he requested a hold on appts. to the Appeals Board and Cons.Comm. until 5/22.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to appoint Patricia Caporillo, 21 Draycoach Dr., as Clerk for the Town Aide under the CETA Program at the specified rate.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to appoint Joan Giras, Wilson Street, as CETA Clerk in the Sel. Office at the specified rate.

Mr. Shanahan moved the reappointment of Dr. Paul Canniff and Richard Lahue, Sr. as regular members of the Chelmsford Historic District Commission for three-year periods, and J. Harold Davis & Charles Watt as alternates for a 1-year period - this was unan. voted by the Board.

Mr. Shanahan moved the reappt. of Gerald Wallace, Sharon Ave., to a 5-year term on the Industrial Development Financing Authority - the Bd. unan. voted to reappoint Mr. Wallace. There is a vacancy on the IDFA due to the resignation of Mr. Dronzek which remains to be filled.

The AA requested a hold on discussion re: Warrant Articles until 5/22.

Mr. Shanahan stated that as a courtesy to Mr. Carson, he would request a hold on discussion re: Summer Schedule until Mr. Carson is present on 5/22/78.

Items 1, 14, and 21 all deal with Student Government Day - Mr. Murphy suggested that the AA contact Town Offices to determine their feelings on the events, and what can be improved upon next year - the Board is favorable to the continuation of the program, and suggestions should be made early in the year to improve upon same. On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to forward a letter of thanks to the Elks and to Mrs. Susan Christman of the High School staff for their efforts. Corres. Sum.

Item 19 - corres. from MVHPC informing the Bd. that Martin Ames was not chosen as a nominee for the Board of Trustees - the Bd. agreed with Mrs. Haines' recommendation to resubmit the name of Mr. Ames, and to request the MVHPC to inform us, in writing, of their criteria re: Board of Trustees, in view of Mr. Ames' background in the area of health planning.

Item 23 - Board discussion on recommendation from Paul Bienvenu re: Acton Road widening & sidewalk - the Board agreed to discuss same with the concerned residents. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to schedule a meeting with the residents of the area (Mr. Sheppard is the neighborhood rep) to discuss the letter and plan submitted by Mr. Bienvenu; the motion was amended by Mr. Shanahan to include the following: prior to official mtg. with the neighbors & BOS, Mr. Shanahan, Mr. Bienvenu and Mr. Sheppard will meet informally to review the plan and corres., then the Board will hold an official mtg. Mr. Sheppard will be provided with a copy of the plan prior to the informal mtg., and with a copy of Mr. Bienvenu's corres.

Item 27 - corres. from Charles Watt re: surplus School Audio-Visual equipment - Mr. Murphy put in a bid for the Sel. Office to have a viewgraph if it is available.

Items 28 & 31 - Mr. Shanahan asked if the AA, as a matter of record, communicates to the writers of the intended action by the Board - she always does this.

Item 29 - corres. from Board of Assessors re: Classification Amendment - and its impact on the tax base in Chelmsford - the Bd. agreed to forward a copy of this to the MLC&T for their info.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., and to include same in the minutes of the meeting by reference.

A mtg. was held with residents of the Russell Mill Pond area - Joseph Yamello, 4 Raymond Road, Mr. LeClair of Mill Road and Mr. Gosnick; Deputy Chief James

Mtg. re: Russell Mill Pond

Mtg. re:
Russell Mill
Pond
continued

Greska; and Mr. Edward Duffy of the Cons.Comm. re: youths congregating in the area, trash in the area, use of motorbikes & minibikes in the area. Mr. Yamello, on behalf of the neighbors, asked the Board what could be done to stop the above from occurring in the future. Deputy Chief Greska informed him that when any annoyances of the above type occur, the Police Dept. should be contacted immediately - if satisfaction is not received from the desk officer, the caller should ask for the Sgt. on duty. Mr. Duffy stated that the only thing the ConsComm could do would be to block the area off, as they did at the Lime Quarry - Mr. Duffy will make the ConsComm aware of this problem - one way to curb these activities would be to install posts & cables in the area. Mr. Yamello stated that there used to be one access across from Raymond Road, but trees have been cut in the Noble Drive area for access - one evening 32 cars left the area. Mr. Duffy stated that the ConsComm could benefit from the employment of NYC youths to clear the area. It was agreed that the residents would telephone the PD immediately in the future when problems occur; and the ConsComm will get back to the Board re: their plans to clean up the area; Mr. Yamello will be contacted as the neighbors' rep. and will be informed of the status of this matter.

Also re: Russell Mill Pond area --

Allan Floyd of Hoyt's Drive informed the Bd. that he has begun to clean up his property and asked how he could determine his property line - Mr. Shanahan suggested that he pursue this through the Bd. of Assessors & Northern Middlesex Registry of Deeds; Mr. Murphy informed Mr. Floyd that re: Mr. Greene's lowering of the dam, the case is still pending and we will ask Town Counsel for a status report on same; the AA informed the Bd. that Mr. Romano of Hoyt's Drive is picking up a copy of the entire file on 5/16; Hoyt's Drive is not accepted as it is a paper street and is owned by the abutters; the AA will provide Mr. Floyd with a copy of Town Counsel's status report on this case, when same is received.

Mtg. re:
CVL at
55 Drum Hill
Road-Center
Deli II

The Board met with Mr. & Mrs. James A. Murksamer re: their request for a Common Victualler's License for the Center Deli II at 55 Drum Hill Road, location which was formerly a bakery. Mr. Murksamer will want seating for 32 persons; now there is seating for 22 people; cold sandwiches & soup would be served from 99¢ to \$1.75, dishes would be plastic & disposable. Mr. Murphy requested that Mr. Murksamer provide the Bd. with a floor plan indicating rest rooms; seating; and tables. Mr. Shanahan asked if this was affiliated with the Summer St. Center Deli - Mr. Murksamer stated that they have formed a corporation with the Center Deli - the license will be in the corporate name. The business is not open as of yet and requested that the license be approved tonight so that they could open on May 16 - Mr. Shanahan stated that this is not feasible as the Bd. has not reviewed plans, etc., and this is not the Board's usual practice. Mr. Murksamer stated that the zoning in this area is CB and would allow for this restaurant. The AA informed the Board that she was awaiting a report on the zoning from the BI, Mr. Salemi. The owners of the development are aware of the intended use & are in favor of same. Mr. Murksamer's wife has worked at the Center Deli on Summer St. for approx. 11 months - he and his wife intend to manage Center Deli II. Intended hours are as follows: Monday & Tuesday: 9am to 7pm; Wed. & Thurs. & Fri: 9am to 9pm; Saturday: 9am to 7pm; closed on Sunday. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to request Mr. & Mrs. Murksamer to provide the Bd. with the following info. asap: list of names & addresses of corporate officer(s); plan of bldg. as requested above. The BI informed Mr. Murksamer that he needed no permits from the Bldg. Dept. until the deli opened. Mr. Murphy stated that the deli can operate under the law to sell take-out food now, but they must await for further action on sit-down meals on the premises by the BOS. The Bd. will hold on further action until at least 5/22.

New
Business

Mr. Lovering stated that at the open session from 7-7:30 this evening, Mrs. Margaret Mills delivered two trash bags full of newspapers from Middlesex Citizen & Independent Delivery Service strewn over the Westford-Bridge Street area re: Citizen & continued delivery re: Indep. Del. Service. On a motion by Mr. Lovering,

seconded by Mr. Shanahan, it was unan. voted to inform Mid.Citizen to review where they drop off their papers in the community, and inform us if they are tied or bundled; and to invite the manager of Independent Delivery Service to a Sel.Mtg. in the near future to address this matter once again.

Mr. Murphy requested that discussion re: street acceptance project proposed by the Town Planner 1½ years ago be placed on the May 22 agenda.

The AA will request a status report from Town Counsel re: State Law re: non-criminal disposition of certain violations - this was requested some time ago.

The AA informed the Bd. that she received a report from the Town Planner on this date re: status of CETA Housing Project - after review if deemed necessary, the Bd. can meet with the appraite parties to discuss same.

Mr. Murphy requested Bd. comments re: CETA Program this week in order that he can draft a letter to Congress.

The AA will determine if there will be any funds for a new round of CETA jobs - she will also obtain the unofficial list of proposed projects. Mr.Hart suggested that most of these jobs be placed in the Hghy.Dept. as laborers to get the most out of the program.

Mr. Murphy informed the Bd. of a problem at the McFarlin School re: interference between Little League games & Soccer games at this location, as the fields adjoin the AA will request the RecComm to review the game schedule to determine if a mutually acceptable solution to the problem can be developed.

At 9:00PM Mr. Shanahan moved that the Board adjourn to Exec.Session to discuss Collection Bargaining or strategy as it relates to same, the motion was seconded by Mr. Hart. Roll Call Vote was as follows: Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr.Hart-Aye; Mr. Murphy-Aye - the Bd. unan. voted to adjourn to Exec.Session.

Adjourn to
Exec.Session

At 9:02 PM the Board returned to Open Meeting. At this time, on a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn to Exec.Session to discuss the physical condition or mental health of a single individual and/or discipline or dismissal, or to hear complaints against an employee - Roll Call vote was as follows: Mr. Shanahan-Aye; Mr. Lovering-Aye; Mr. Hart-Aye; Mr. Murphy-Aye. At 9:07PM the Board returned to Open Meeting.

Return to
Open Mtg.--
Adjourn to
Exec.Session

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to adjourn the meeting. The meeting was adjourned at 9:08PM.

Return to
Open Mtg.
Meeting
Adjourned

For the Board of Selectmen, by

Bonita Tower

Jurors drawn May 22 by Selectmen for Cambridge: Robert Acheson, 26 School St; Marion Dempsey, 5 Skyview Drive; Francis Egan, 23 Sprague Ave; John Hickey, 23 Bradford Road.

Jurors Drawn

Regular Meeting of the Chelmsford Board of Selectmen held May 22, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was ill and was not present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Members
Present

Mr. Murphy informed the audience that the Bd. met with reps. of the Church of Jesus Christ of Latter Day Saints at 7PM rather than at their scheduled 8:15 PM mtg. and were informed of the programs and intentions of the Morman Church in Chelmsford.

7PM Mtg.with
Church of
Jesus Christ
of Latter Day
Saints

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt

the minutes of the Regular & Executive Session mtg. on May 15, 1978.

Mr. Shanahan reported that on this date he received the final report on the proposed use of the former MCTS - he will give same to the AA for the Board's review.

Mr. Carson informed the Bd. that he was contacted by Mr. Al Laing of the State DPW re: Central Square Project. Mr. Carson will informally meet with reps. of the Chelms. Bus. Assoc. & Mr. Laing and hopefully, a formal mtg. will be held with the BOS in the middle of June.

Mr. Carson introduced his father, David Carson, who attended the meeting.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve a Request for Trans. From the Reserve Fund to be forwarded to the FinComm for approval for the expenses for the Town Clock in the amount of \$110 due to insufficient funds.

Mr. Maher provided each Board Member with a report on the sweeper--he recommended that Torromeo Trucking of Methuen be contracted to rent a sweeper with operator & maintenance for \$24.50 per hour on an eight-hour daily basis, which totals approx. \$980 per week - Mr. Hart agreed with Mr. Maher's recommendation and he moved that the Board authorize the Hghy. Supt. to contract with Torromeo-motion was seconded by Mr. Shanahan and unan. voted by the Board.

Mr. Shanahan moved the appt. of W. Allen Thomas, Emerson House at CHS for the appt. as 1978 UN Day Chairman, in accordance with recommendation of Dr. Rivard-Mr. Thomas was unan. appd. by the Board.

The Board then voted on 2 appointments as Regular Members of the Board of Appeals-Mr. Murphy placed all names in nomination, as is the practice of the BOS - applicants are as follows: (S. Robert Monaco informed the Bd. in writing that he does not wish to be considered for reappointment); Robert Kydd-present member; new applicants: Michael Erhartic, 229 Main Street, Gustave Fallgren, 31 Byam Road, Alexander Weir, III, 176 Hunt Road, Denis Valdinocci, 24 Drexel Drive. There was a question as to whether or not the terms are for 3 or 5 years - Present alternates are: Florence M. Kelley, 103 Gorham Street, Joseph Dappal, 8 Topeka Rd., and Daniel Burke, 7 Arbutus Ave. The Board voted as follows: Mr. Shanahan-R. Kydd & J. Dappal; Mr. Carson-Florence Kelley & Daniel Burke; Mr. Lovering-Daniel Burke & F. Kelley; Mr. Hart-R. Kydd & D. Burke; Mr. Murphy-F. Kelley & D. Burke - Miss Kelley & Mr. Burke were appointed by a majority of the Board as Regular Members of the Board of Appeals. Mr. Murphy informed the Board that they must select three alternates to 1-year appointments - the Board considered names of applicants not appointed above for these appointments. The Board voted as follows: Mr. Shanahan-R. Kydd, J. Dappal, A. Weir; Mr. Carson-J. Dappal, D. Valdinocci, M. Erhartic; Mr. Lovering-D. Valdinocci, J. Dappal, M. Erhartic; Mr. Hart-R. Kydd, J. Dappal, D. Valdinocci; Mr. Murphy-J. Dappal, D. Valdinocci, G. Fallgren - Mr. Dappal & Mr. Valdinocci were appointed as alternates - ballot for final alternate was as follows: Mr. Shanahan-M. Erhartic; Mr. Carson-Mr. Erhartic; Mr. Lovering-Mr. Erhartic; Mr. Hart-Mr. R. Kydd; Mr. Murphy-Mr. M. Erhartic - Mr. Erhartic was appointed by a majority of the Board as an alternate to the Board of Appeals. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request an opinion from the Board of Appeals as to how the first, second and third alternates are decided upon by their board. Mr. Carson informed the Board prior to the last ballot for alternate that Mr. Weir will be moving out of town in the not too distant future and the Board should consider this in making their appointment.

Re: appointments to be made to the Cons.Comm., the Board will vote on two members to be appd. to three-year terms - Mr. Hart noted that both present members, Mr. Duffy and Mr. Parlee, have informed the Board that they wish to be reappointed. Alternates acting as substitutes are: M. Waldron, 21 Galloway Road; volunteer con-

sultants are: Claire Thompson, 10 Hornbeam Hill Road & Michael Potsaid, 47 Parker Road. Requests for appt. were received from the following - all names were placed in nomination: G. Stott, 70 Warren Ave, J. Hass, 27 McIntosh Road, Dennis McHugh, 33 Janet Road, C. Gaieski, 109 Billerica Road, Alexander Weir, III, 176 Hunt Rd., M. Sanders, 87 North Rd., Jean Rook, 41 Westford St., H. Churchill, 107 Boston Road, M.J. Chiungos, 215 Westford St., G. Tucke, 20 Fairview Ave. Vote on two regular members was as follows: Mr. Shanahan-Mr. Duffy & Mr. Parlee; Mr. Carson-Ms. Hass & Mr. Duffy; Mr. Lovering-Mr. Duffy & Ms. Hass; Mr. Hart-Mr. Parlee & Mr. Duffy; Mr. Murphy-Mr. Duffy & Ms. Hass - Ms. Hass and Mr. Duffy were appointed by a majority of the Board.

Unfinished
Business
Appointments
to ConsComm
continued

The Board held on discussion of Warrant Articles, as they are awaiting a report on same from the AA.

Mr. Murphy reiterated his comments of last week re: his proposal for use of the viewgraph at meetings, and corres. dealing with same as it relates to the Board and other committees, boards, commissions, the Adm. Asst., and Dept. Heads. The Bd. will pursue matter re: ramps at McFarlin School when we make the move; the summer schedule was acceptable to the Board; the Bd. will inform Mr. Murphy of their preference re: prime & alternate members re: union negotiations - this will be placed on the 5/30 agenda; the Bd. was generally receptive to functional responsibilities; Mr. Carson had some additions to informal liasons to committees which he will provide to WRM and the Bd; Mr. Hart suggested that ConsComm be included in the group with inspections & Board of Health; re: matters pending before the Board, the Bd. added Mill Pond and Mr. Carson will add several other items & inform the Bd. of same-WRM will form a list of these items which he feels should be addressed as scheduled agenda items, rather than just appearing on the agenda under unfinished business.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was voted four in favor; one opposed-Mr. Carson, to adopt the summer schedule as follows: May 30, June 12, June 26, July 10, July 24, August 7, August 21.

Summer
Schedule

Re: street acceptance report provided by the Town Planner 1½ years ago, the Board, on a motion by Mr. Shanahan, seconded by Mr. Carson, unan. voted to forward this matter to Town Counsel for review within the next 30 days - the Bd. will request a legal opinion from Town Counsel in the area of street acceptances.

At 8PM a Public Hearing was held on the application of Papa Gino's of America, Inc., for an All Alcoholic Common Victualler License at 29 Chelmsford Street. All Return Receipts were presented-one was not returned by mail which was sent to Henry Eriksen, 21-23 Chelmsford Street-Mr. Eriksen, however, was present at the hearing. Atty. Howard Wayne represented Papa Gino's, and Ronald Priore, Mgr. of the restaurant was present, as was William Riney, landlord of the premises. Atty. Wayne stated that the intention of Papa Gino's is not to offer alcoholic beverages, just beer & wine - this decision was made in view of the fact that at the time of application, the Town had no Wine & Malt Common Vict. Licenses left to issue; however, there were 17 All Alcoholic Common Vict. Licenses available. Papa Gino's has 70 restaurants now - 35 have beer & wine licenses. No bar will be involved-there will be a tap and wine will be served in glasses. In the 35 restaurants, you must purchase food to be served beer or wine, and Papa Gino's has never had a violation in any of these restaurants. Mr. Carson asked if Papa Gino's had contacted any rep. of the All Saints' Church, who voiced opposition the last time Papa Gino's applied for a Beer & Wine License - Mr. Priore stated that the last time they applied, they spoke to reps. of the Church and did not feel that any problem existed; however, they did not approach the Church this time, in view of the ABCC decision dated Nov. 22, 1977. Mr. Murphy asked if any Bd. member had any questions - Mr. Shanahan abstained from any discussion on this matter per his April 26, 1977 Point of Privilege. Atty. Wayne stated that the ABCC decision on the matter originally was that if the Church did not object to Brig-

SPM Public
Hearing with
Papa Gino's
re: All Alco-
lic Common
Victualler
License

8PM Public
Hearing re:
Papa Gino's
All Alcoh.
Com.Vict.
License
Application
continued

hams application, then they could not object to Papa Gino's application. Mr. Murphy asked if anyone in the audience had a question on the presentation - no one asked any questions at this time. Mr. Murphy stated that we are in receipt of a letter from Rev. Walter Sobel dated May 18 as follows: "On behalf of the Parish of All Saints the Vestry at its regular mtg. May 16 again expresses its opposition to the granting of an All Alcoh. Com. Vict. License to Papa Gino's of America, Inc. at 19 Chelmsford St. The reasons for our opposition are as follows: We are concerned about the limited parking available at 29 Chelmsford St. We are concerned that carry-out service combined with inadequate parking facilities will create additional litter on both church property and in the downtown area in general. We do not believe that the downtown area of Chelmsford can safely accommodate increased traffic-flow, and we are especially worried about the increased possibility of accident resulting from late-night drinking by less experienced drivers. We believe that there is already sufficient access to places that serve alcohol in greater Chelmsford, and that the addition of another serving place is unneeded and unwise for the Town to consider. Thank you for your consideration and courtesy." Mr. Preore stated that the application was approved by the BI, and that no litter would be allowed to collect in the parking lot, and only customers will be allowed to parking in the lot-there will be no loitering. Wm. Riney, landlord, asked a question re: Fiske House, Inc., which Mr. Murphy explained to him re: holding area & restriction on same. Norman Douglas delivered a letter on behalf of Rev. John Minot of Central Baptist Church, which Mr. Murphy read as follows: "I write to state my opposition to the granting of a full liquor license to Papa Gino's Restaurant, soon to open on Chelmsford Street. My opposition is based on the following thoughts which may have no legal standing but surely have moral implications from my perspective: 1. The increase in traffic on Chelms. St. can only make an already desperate situation worse, especially in the light of the self-evident fact that 2. a considerable proportion of these additional vehicles will be driven by folks who will have consumed alcoholic beverages, some beyond safe levels; and additionally 3. Papa Gino's Restaurant's appeal in large number and at later hours to younger people, and the spectre of teenagers driving into the center of Chelmsford should give all of us who live and do business in the center section. 4. As a resident of the area, I can cite and document many occasions when the police have been called due to unruly, disorderly and drunken behavior on the common. We simply do not need an additional full service beverage source in the center." Mr. Murphy then read the following note delivered by Mr. Douglas from Mauro Croletti, et al as follows: "The Diaconate of Central Baptist Church has una. voted its opposition to the granting of a full liquor license to Papa Gino's restaurant. We fully support the attached statement of our pastor (Rev. Minot). Mr. Hart stated that as the ABCC opinion was on the beer & wine license to Papa Gino's, it would have no bearing on this new license for All Alcoholic Beverages. Mr. Murphy stated that the legal limit for protest is 500 feet-All Saints is within this, but there is a question as to whether or not Central Baptist is - in any case, the Board can consider Central Baptist's position. Mr. Murphy read a portion of the Nov. 22 opinion from the ABCC and the dissenting opinion dated Nov. 22 for the Board's review. Mr. Pomfract spoke on behalf of Henry Eriksen, an abutter, stating that Mr. Eriksen is not in favor of the granting of this license. Atty. Wayne stated that Papa Gino's would have an officer stationed at the restaurant on Friday & Saturday evenings, if the abutters or Board of Sel. so desired, and they would be willing to install a fence. Mr. Pomfract spoke again on behalf of Mr. Eriksen, stating that perhaps after Papa Gino's operates for a number of months without a liquor license, and finds no problem, he will reconsider his wish to oppose liquor at this establishment. On a motion by Mr. Lovering, seconded by Mr. Carson, it was unan. voted to take the application under advisement for one week - Mr. Shanahan abstained from voting - the matter will be placed on the 5/30 agenda for a vote and no new testimony will be accepted at that time - the mtg. will be at 9PM, per request of Atty. Wayne. On a motion by Mr. Carson, seconded by Mr. Lovering, it was unan. voted to ask Town Counsel to forward the Bd. an opinion as to whether or not this application would be considered as a new application, that is, not related to the previous request for a Beer & Wine License, prior to May 30, as it relates to the ABCC letter.

At 8:30 PM a mtg. was held with Mr. & Mrs. James Merksamer re: their application which was discussed at the Sel. Mtg. May 15 for a Common Victualler License at Center Deli II, 55 Drum Hill Road. The Bd. is in receipt of the ^{names of} corporate owners of the business and of the floor plan, as requested 5/15. Mr. & Mrs. Merksamer were present, as were Mr. & Mrs. Taddeo (principles, as are Mr. and Mrs. Merksamer). Mr. Shanahan asked on what date did the Center Deli II open-they opened on May 17. Mr. Shanahan visited the establishment on May 19 and noticed tables and chairs set up to serve customers - people were sitting at the tables at approx. lunch-time on May 19 - Mr. Shanahan stated that last week the Merksamers were made aware by the Board that they could operate their business on a take-out basis; however, they would have to wait for the Board's approval prior to allowing their patrons to sit down and eat on the premises, which was the reason for this evening's mtg. Mr. Shanahan asked the Merksamers why they allowed patrons to be served in a manner in which they would have to have been granted a Common Vict. License. Mr. Merksamer stated that he decided to leave the tables and chairs in the restaurant and when patrons purchased sandwiches, they were asked to eat them outside of the premises, however, if someone wanted to eat on the premises, Mr. Merksamer let them, because he could not afford not to open. Mr. Shanahan stated the original request for the license indicated that Mr. & Mrs. Merksamer would be the mgrs., and it gave no indication that they were affiliated with Center Deli on Summer St; and it is common knowledge that there was a problem with the Center Deli whereby certain means of operating were done not in compliance with our bylaws and statutes and the matter is now pending in the courts. At last week's mtg., only upon Mr. Shanahan's inquiry, did it become evident that the Merksamers were affiliated with the Center Deli. Mr. Shanahan has a personal feeling that the applicants, as stated on the application, were not as open as they should have been-considering the past history of the Center Deli on Summer St., and despite the fact that the application was pending and a decision was to have been rendered this evening, the proprietors did in fact, allow people to sit down and consume food on the premises, when a common vict. license is necessary to allow for same. No where in the restaurant was there any indication that the deli was not open to serve customers-anyone walking in could come to the assumption that they could sit down and be served. Mr. Shanahan feels that an easy solution to this would have been not to set up the tables and chairs until the license was approved by the BOS. Mr. Shanahan further stated that he does not feel that the Board was treated fairly in the application procedure, and he does not think the owners have approached the Board in good faith to comply with our bylaws, and he feels this is a flagrant violation. Mr. Murphy stated that the bylaws re: zoning at Drum Hill do not allow for fast food in a CB district - the definition for restaurant is 'a bldg. ^{or portion thereof} containing tables and/or booths for at least 2/3 of its legal capacity which is designed, intended and used for indoor sale of the consumption of food, except that food may be consumed outdoors in a landscaped terrace designed for dining purposes which are adjuncts to the main indoor dining facility-the term restaurant shall not include fast food establishments.' Fast food is defined as 'premises used for the sale of on premises prepared food and drink or off premises consumption & for on premises consumption-if as sold such food or drink is ready for take out, unless such use is wholly incidental to another use as defined in this bylaw, for example, a restaurant.' Mr. Taddeo asked why it was so hard to get a CVL in Chelmsford-Mr. Murphy informed him that the matter comes down to zoning, at both locations. They would have to go before the Board of Appeals for a variance to allow for same. Atty. John Durgin, Jr. of Stoneham drew up incorporation papers for the Merksamers & Taddeos and advised them that to inc. would be in their best interests. Mr. Shanahan stated he is not inclined to vote for the approval of this license, and Mr. Murphy stated that the Board, he does not feel, is not prepared to issue the license at this time, and he suggested that the Merksamers & Taddeos withdraw the application for CENTERDELI II CVL without prejudice. Mrs. Taddeo stated that they received approval from the BI for the Center Deli II. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to allow the Merksamers & Taddeos to withdraw their application for a CVL without prejudice - they may come back at a later date after more careful review of the zoning, etc.

Mtg. re:
Center Deli
II Applica-
tion for
CVL at 55
Drum Hill Rd

Mtg. with A.
Trainor re:
vendor's
license at
16 Carlisle
Street

A mtg. was held with Arthur Trainor, 16 Carlisle Street, on his application for a vendor's license to sell flowers from May 20 to June 8, 1978 from 8AM to 8PM-owner of record, Arthur Trainor, was verified by the Board of Assessors. Mr. Trainor stated that he wishes to sell flowers at 16 Carlisle St. & he can accommodate 18 cars parking in his driveway. Deputy Chief Greska viewed the location and informed the Bd. in writing (Corres. Item 38) that due to the area in question, 16 Carlisle Street, he feels that because of the pitch of the bridge when travelling north on Carlisle St. and the limited view of the roadway, this would be a hazardous location for operation of such a license. Mr. Hart stated that the zoning for a roadside stand in this area would not necessarily allow for a vendor's license, as the vendor's license does not come under the same interpretation as a roadside stand. The area is zoned residential, and a roadside stand would come under this zoning, but the Police Dept. does not feel that this is a proper location for this type of license. Mr. Hart suggested that the Bd. establish a procedure that vendor's licenses could only be established in commercially-zoned areas, to eliminate this problem in the future. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to deny the license based upon the above and in view of the Police Dept's. recommendations. On a motion by Mr. Hart, seconded by Mr. Lovering, it was unan. voted to incorporate zoning in our definition of these types of licenses, as in the past, all vendor's licenses have been granted in commercial districts, not in residential areas-Mr. Lovering feels that we should be limited to commercial zones only-this will be requested to be reviewed by the Planning Bd. to forward the Bd. some guidelines and we will inform the Planning Bd. that the Selectmen request that they be granted only in commercial areas.

Corres. Sum.

Item 4 - corres. from J. Barnes re: damage to his fence by plow. Mr. Shanahan stated that he has spoken to ins. agents who represent the Town re: personal property damages, and conversation with Supt. Rondeau - our ins. carriers have on many occasions made payments for such damage, and our Hghy. Dept. has repaired damages in these type of accidents, either done by Town vehicles or contractors and the issue which arises is how many of these personal property damages actually occur on Town property. A number of people have their fences and mailboxes on Town property. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to ask Town Counsel to determine whether or not we are liable for personal property damage, if it can be established that the property in question is Town property - also, we will forward Town Counsel a copy of the memo sent to Mr. Rondeau re: types of insurance carried by independent contractors.

Item 7 - corres. from Office of Com. & Dev. re: Special Education costs - Mr. Shanahan stated that Mr. Murphy might have some comments on this prior to the Board's taking action - Mr. Murphy suggested that the Bd. support same - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to request a response on support of same from the School Committee prior to the prorogation of the Legislature.

Item 10 - corres. from Matcon re: inability of MATCON to accept any color mixed glass until further notice - Mr. Lovering informed the Bd. that a mtg. has been scheduled for May 24 at 9AM - as indicated in the Press Release issued earlier this week, the Board will take the next 30 days to evaluate and study other proposals, as well as permanent dissolution of the program, and dollarize the financial impact to the Town - Mr. Shanahan suggested that Mr. Lovering include costs of the trucks, and costs to become involved in the project. Mr. Lovering stated that the trucks are useable for trash or for re-sale purposes; the ramp at the landfill did not total the authorized amount, and in addition, any landfill should have a ramp of this nature. Mr. Hart stated that he feels that the suspension of the recycling program should have been addressed at a meeting of the BOS - any time that we rescind this program and try to start another program will make it very difficult for the residents. At the time of the proposal of the program, Mr. Hart supported it, but due to the developments that have occurred, Mr. Hart feels that any new program we begin, if we do begin a new program, should be given

serious consideration. Mr. Hart noted that we are behind in our actual HD work approx. by one month - we have to take care of our drainage problems and streets. Mr. Hart feels that another commitment of this type (recycling program) should come from the townspeople, whether it be on a ballot or at a Town Meeting, and Mr. Hart suggested that the program be suspended for at least one year, prior to making another commitment regarding a program of this nature.

Corres.Sum.
continued

Item 11 - corres. from counsel for Santorelli Constr. Co. re: sidewalks on North Road - the Bd. will await a report from the AA on same on 5/30.

Item 13 - corres. from Martin Ames re: Save Berry - Mr. Carson spoke to one of the representatives behind this organization and informed the Board of the status of the Berry Rehabilitation Center - the Dept. of Mental Health made a decision to phase out services to the mildly retarded/handicapped; and the Berry facility has been restricted to only region 5; as a result, Rep. Nordberg & Rep. Keverian filed an amendment to the budget to run the Berry facility in the same manner in which it was run previously-that amendment has been favorably voted by the house and is presently before the Senate Ways & Means Committee - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to ask Sen. Amick to consider these facts in her deliberations on this matter.

Item 17 - corres. from Edward Redstone, President of First Bank & Trust Co. re: low-cost facia improvements in Central Square & request for architectural criteria for same. Mr. Shanahan agreed with the AA's recommendation to discuss this at the mtg. with the Chelms. Bus. Assoc, but he feels that the Board should take a public position as to whether we will take full responsibility to establish the architectural criteria as a duty of this Board or whether we will ask the Assoc. to put something together for our review & we will work with them - Mr. Shanahan's understanding with the main problem in Central Sq. was with regard to one landlord in the Center who gave no indication of doing anything with her particular situation - Mr. Shanahan suggested that Mr. Redstone inform the Bd. as to whether or not any of the businessmen are interested in the loans. Mr. Hart suggested that under the CETA Program, the Town could employ someone who has a background in architecture, who could at least draw plans for the BOS - the program could be expanded to Vinal Square also - Mr. Hart stated that the City of Lowell is assisting property owners in downtown Lowell through CETA employees in re-creating facial designs of bldgs. Mr. Hart suggested that the AA contact the City of Lowell for some info. of this nature. Mr. Murphy stated that we are expecting another round of funds from CETA, and this type of position could be a title for a project - commercial revitalization. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to establish some sort of criteria and/or suggestions prior to the first of Sept. to be submitted to the business community at an appropriate forum - the Board will commit itself one way or another with guidelines that will be acceptable to the community. The Board had no objection to allowing Stephen McDonald, Town Planner to speak on this issue, and Mr. Murphy explained that it is not the Board's practice to allow persons to speak if they are not on the agenda, or if any Board Member objects to same. Mr. McDonald stated that he spoke with Richard Main, Vice-Pres. of the First Bank & Trust Co., who advised him that approx. 3 persons are interested in the loans, which the bank must offer at 4% interest. George Duncan, of the FB&TC is the Chairman of the Lowell Development Fin. Authority, and he is the motivation behind this. Mr. McDonald offered his services to act on behalf of the Board regarding this matter.

Item 28 - corres. from Town Counsel re: drainage problem on Southgate Road. Mr. Murphy provided each Bd. member with a sketch of the property in question (Dean, Weinstein) on Southgate Road. Town Counsel suggested that for this time only, the Town have the HD seal the manhole - Mr. Dean will not grant the Town an easement unless the Town agrees to compensate him for damages caused by the water. Mr. Hart stated that Mr. Dean should be willing to give the Town the easement, and he feels that the Town should not do anything unless we are granted the ease-

Corres.Sum.
continued

ment. Mr. Shanahan stated that the Town can only go so far in helping people with problems on their own property - in this case, the real property of an individual is interfering with the flow of the town or developer's drainage project. This individual will not consent to an easement, yet he complains about the water problem, and his tree is creating the water problem. On a motion by Mr. Hart, seconded by Mr. Shanahan, it was unan. voted to indicate that the Board will only take action to resolve the matter upon receipt of an easement from Mr. Dean.

Item 26 - Board discussion on corres. from MCAB re: dues - Mr. Murphy informed the Bd. that he will bring up this matter at a mtg. on Thursday and he requested that we hold on this item until 5/30.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's recommendations on the corres. sum., as amended, and to include same in the minutes of the mtg. by reference.

On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to request Mr. Louis Salemi, State Bldg. Insp. to readdress his response re: violation of bylaw of cars; parked on Fletcher Street - we will ask Mr. Salemi to act on this matter, if in fact, there is a violation of our zoning bylaws.

Mr. Shanahan informed the Bd. that as May 26 is the final date for submission of resumes for BI, he feels that Mr. Salemi should be invited to a Sel.Mtg. in the near future to inform the Board as to what type of qualifications and background the Bd. may look for in a candidate for this position - this was so voted on a motion by Mr. Shanahan, seconded by Mr. Carson, unan. voted by the Board.

On a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to request Mr. Salemi, State BI, to investigate unregistered vehicles at 44 Maple Road, which would appear to be in violation of the zoning bylaws, and there appears to be some commercial ventures taking place at this location.

On a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to ask Mr. Salemi, State BI, to investigate signs along the Adams Library advertising a nursery business, and they are also located in Drum Hill; and to investigate a sign on the roof of an appliance store in North Chelmsford - are they legal if they are so many feet over the roof, and inform the Bd. of his findings.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting adjourned at 10:20 PM.

For the Board of Selectmen, by

Bonita Towle

Regular Meeting of the Chelmsford Board of Selectmen held May 30, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy, Chairman, called the mtg. to order at 7:30 PM.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the Selectmen's Meeting held May 22, 1978.

Mr. Shanahan reported that he met with Mr. Farrell & Mr. Bienvenu to review the plan re: Acton Road widening & sidewalks - the mtg. was held on May 24 - Mr. Farrell indicated Mr. Bienvenu's alternate plan was acceptable and a mtg. of the SCVIA is scheduled for next Thursday evening. Therefore, the Bd. will postpone the public mtg. with the residents until June 12, in order that Mr. Farrell can communicate with the residents at the VIA Mtg. & inform them of Mr. Bienvenu's plan. This will be placed on the June 12 agenda.

New Business

Meeting
Adjourned

Members
Present

Minutes
Adopted

Board
Reports

The Board agreed to schedule a Work Session with J. Paul Bienvenu for Thursday, June 8, 1978 at 8:00 PM to review drainage projects & problems, in particular, to discuss Riverneck Road & Linwood & North Rd. problem. Mr. Hart stated that the surveyors were marking Swain Rd. as of this date and work will be commencing shortly.

Mr. Carson informed the Bd. of a breakfast mtg. on June 8 at Skip's Restaurant in Chelmsford with the CBA, Town Planner, and Mr. Laing to discuss alternatives for Central Square lights - Mr. Pretti was informed of this mtg; also, a mtg. has been scheduled with Mr. Pretti of the State, for June 12 to discuss results of the June 8 mtg. & other matters.

Mr. Murphy provided Board Members with corres. from the Mass. Municipal Assoc. re: Municipal immunity - Re: Senate Bill 1528, after discussion, on a motion by Mr. Shanahan, seconded by Mr. Charson, it was unan. voted to forward a letter to our Senator & Reps. indicating that the Board of Selectmen have some concerns re: the specifics of SB 1528, asking them to keep a particular watch in the very specific wording of that bill to protect the municipalities as best as they can without jeopardizing the rights of our citizens.

Mr. Murphy reported on the MCAB which held a mtg. last Thursday at Newton City Hall - it was agreed to support the recommendations of the MCAB budget committee & forward to the panel their recommendations - Mr. Murphy left some info. for the Board's review in the Reading File - another late amendment to the budget was received from the County Cmsnrs - essentially a recommendation for \$80,000 more.

Town Counsel provided a Bd. with a report on Papa Gino's, which the Bd. will discuss at the time of the scheduled mtg. this evening.

Town Counsel
Report

The AA informed the Board that the status of the Sen.Cit. Drop-In Center is as follows: final inspection will be made 5/31 by Walter Jones and the AA; Town Aide will move into her office on June 5; an Open House is scheduled for June 17-- the AA will handle the paper work re: final inspection and info for HUD.

AA Reports

Mrs. Haines requested that the Board vote to extend the appt. of Louis Salemi as State Bldg. Insp. until the Board appoints a full-time BI for the Town after interviews for same. Mr. Salemi's term expires on June 4 - after a great deal of discussion, the Board agreed to hold interviews for the position of BI on Wednesday, May 31, and Thursday, June 1; those who cannot attend interviews on the two dates mentioned will be given an alternate date of June 6 (Tuesday) in view of the short notice for the interviews. Mr. Shanahan stated that last week the Board voted to go on Summer Schedule, and he feels that a vote to appoint a BI should be taken at a regularly-scheduled Sel. Mtg., not at a Work Session - Mr. Shanahan noted the amount of holds placed on the appointments since April 3, and he feels that the Board should be more consistent in its desire to maintain monthly calendars - Mr. Lovering stated that he will be out of Town on June 12 and will request a hold - it is Mr. Shanahan's prerogative to disagree with same. Mr. Lovering stated that in all probability, if the Bd. appoints a BI, he will have to have time to give his present employer notice of his termination, and he cannot foresee the BI actually working for the Town until at least 2 weeks after the Board's vote. Mr. Shanahan stated that he does not know if 'unlimited personal holds' are in the best interests of the Board or the community - it is inconsistent. Mr. Hart feels that the appt. should be made as soon as possible, as the residents are finding financial hardships, and this is not fair. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request an extension from the State for the appt. of Lewis Salemi for 30 days - the Bd. realizes that the extension may not be necessary for the full 30 days, however, we will request same to insure coverage - we will inform the State of the Mtg. date which we anticipate appt. of a BI. The AA will schedule the work session on drainage at 8PM and the vote on the appt. of BI on June 8 at 7:30 PM, this was unan. voted on a motion by Mr. Lovering, seconded by Mr. Carson.

AA Reports
continued

The Board then discussed applications on file - the Board agreed to interview all applicants which the Adm. Asst. recommended for interviews - some Board Members had some additions, and these will be included - they are: Peter J. McHugh, Jr., and several others (due to confidentiality, names were not released at mtg.). Mr. Hart stated that he requests Mr. McHugh's name to be added to the list of persons to be interviewed; Mr. Shanahan has no objections, however, he feels that the interview will be a waste of Mr. McHugh's time; Mr. Lovering stated that Mr. Hart's request is most unusual, in view of the Board's vote not to reappoint Mr. McHugh. Mr. Carson stated that some 55 people have applied for the position to date, and he feels that the list of 19 should be cut down to a more reasonable number-Mr. Murphy suggested that the Bd. provide the AA with names of additional interviewees after this mtg.

Public Hear-
ing:pole
locations
on Parker-
ville Road

A public hearing was held on the New England Tel. Co. & Mass. Electric request re: poles on Parkerville Road. The hearing was held on 1 pole location: P 77/10; and 2 pole abandonments: P 77/10 and P 77/11; and 1 pole relocation: P 77/12. Mr. Ralph Wilkins of MEC, also representing NET Co. He stated that the purpose was to apply for a new pole on the corner of Minot Ave. & Parkerville Road, which is a relocation of p.12, moving it some 40 feet towards Minot Ave. for the possibility of getting down Minot Ave. to get to Chelms. Real Estate Exchange; to remedy the short span, two poles will be abandoned and a new location of pole 10 will be requested to provide a 150 ft. span. Ms. Arlene LaPorte was present and stated that Minot Ave. is a private way; therefore, MEC would have to get an easement to cross Minot Ave. Mr. Wilkins stated that he will forward the Board with a copy of the easement which he will attempt to obtain for Minot Ave. on Lot 2. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve the above pole locations, in the event that all questions re: ownership of the property (lot 2) and right-of-way are established and committed prior to action by MEC & NET Co.

Mr. Murphy asked Mr. Wilkins about the disposition of the pole on Fletcher St. near Chelmsford Street - it has been removed; and the pole at North Road & Fletcher St. will have to be moved by the tel. co., as they were the last company working on the pole-Mr. Murphy requested that Mr. Wilkins notify NET Co. about this matter.

Mtg. with
Independent
Delivery
Service
re:delivery
of papers
in Town

The Board met with Mr. Anderson, Mgr. of Independent Delivery Service re: deliveries of newspapers in Town by IDS. Several residents in the past year have complained about receiving the Independent, even after they have requested that delivery be stopped at their homes. The latest complaint, from Mrs. Margaret Mills, Westford Street, prompted this meeting. Mr. Anderson explained that IDS does its best to see that papers are not delivered to homes which have specifically requested no delivery; however, youths between the ages of 12-15 deliver the papers, and although they are supervised by adults, sometimes the papers are delivered by mistake. There are two adult rural drivers in the Town. Mr. Murphy requested that that IDS forward the Bd. a list of names & addresses of residents who have asked that they not receive the paper in the future-Mr. Anderson stated that if the Board wishes, he can send them a monthly list of same. Telephone surveys are made on delivery and complaints are received - Mr. Murphy stated that sometimes if the papers are not picked up by the homeowners, they accumulate on the ground or if they fall off the mailbox, others are left on the ground. Mr. Lovering stated that he does not feel that residents of the Town should have to put up with receipt of these papers, if they do not wish to receive same, their requests should be met by IDS - also, the Sel. Office should not have to monitor IDS's deliveries in terms of residents who do not wish to receive the paper. Mr. Anderson stated that in the past yr., he has probably received 5 complaints from this office & 10 from the Police Dept. re: requests to stop delivery not being met. Mr. Lovering stated that if the Board receives more than 20 complaints, another mtg. with Mr. Anderson will be scheduled - Mr. Anderson agreed to this. Mr. Anderson further stated that he will try his best to meet the Board's requests. Mr. Hart provided Mr. Anderson with his name & address and requested that he no longer receive the Independent. Mr. Murphy feels that the IDS could leave the papers in between the screen doors & main doors. Mr. Shanahan stated that he personally

does not feel that he is obligated, in view of the fact that he did not invite any rep. of IDS to enter his property & leave the paper, to go to the bother to pick up the paper - Mr. Anderson stated that under the First Amendment his firm is allowed to deliver the papers in the mode they currently employ.

Mtg. with IDS
continued

The Board met with Stephen McDonald, Town Planner re: Central Square revitalization. After discussion, the Board agreed to the following: 1) take advantage of the free services of an employee of the City of Lowell, pending approval of same from his supervisor in Lowell re: guidelines for architectural design, etc; 2) proceed to apply for grants coming out prior to July 31; 3) authorize Mr. McDonald to prepare guidelines for same; 4) request Mr. McDonald to clear the application for the grant with the Housing Authority-any pertinent info. should be forwarded to them for their input.

Mtg. with
Town Planner
re: Central
Square Revi-
talization

The AA informed the Board that Mr. Salemi will not be here for his 8:45 PM mtg. with the Board in view of the fact that he is not allowed to attend evening mtgs. without approval of Commissioner Kehoe-the AA tried to contact Cmsnr. Kehoe but he was at a seminar and the Asst. Comm. would not give the authorization for Mr. Salemi to attend the meeting.

State BI
will not be
present at
meeting

The only applicant for Insect Pest Control Officer was Donald P. Gray, 25 Smith Street - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Mr. Gray to this position at the salary of \$1,250 - Mr. Murphy stated that we have an obligation to make sure that these jobs do not conflict with one another - he is Park Supt., and was also elected as Tree Warden. Mr. Hart noted that everytime Mr. Gray has performed services for the Town as Park Supt., they have been of the highest quality - he has worked on weekends and early in the morning, as well as late in the evening - Mr. Hart noted that as this is a part-time job, whoever takes it will in all probability have another job which is 40 hours per week - Mr. Hart stated that if Mr. Gray feels that he can perform all of the above functions, Mr. Hart feels confident that he can. Mr. Murphy stated that we should accept the fact that the combined jobs will be in excess of 40 hours per week.

Unfinished
Business

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Doris Perry, 270 Littleton Road, as Clerk for the Town Aide at the specified salary.

Armand Soucy, Crawford Street, Lowell, has applied for appointment as a Constable in the Town of Chelmsford. Mr. Shanahan spoke with Mr. Soucy - he would like to be appd. for a 3-year period - he is presently constable in several surrounding Towns. Mr. Shanahan noted that if the Town Constable is not in Town, or is sick, or for one reason or another cannot serve papers, the entire process is held up- Constables must be appointed by the BOS. The Town Treas. employs 2 constables on a part-time basis to work during the tax season. Several local Attorneys have approached Mr. Shanahan requesting appointment of another Constable. After discussion, on a motion by Mr. Shanahan, it was voted four in favor; one opposed- Mr. Hart, to appoint Mr. Armand Soucy as Constable.

At 9PM a mtg. was held with reps. of Papa Gino's of America, Inc. on their application for an All Alcoholic Common Victualler License at 29 Chelmsford Street, public hearing was held 5/22 on same. Atty. Howard Wayne was present as was Mr. Ronald Priore, Manager. Mr. Priore informed the Board that on this date he met with Rev. Sobel of the All Saints' Church - Rev. Sobel informed him after discussion that he does not have any problem with the granting of the license, personally; however, he could not speak for the vestry of the Church - they would have to hold another mtg. to officially vote on this issue once again. The Board is in receipt of a memo from Town Counsel on this date informing them that the objections of the Church are valid and would preclude the BOS from issuing the license unless it is found that a saving clause in the statute affords the applicant

Mtg. re:
Papa Gino's
of America,
Inc. applica-
tion for All
Alcoholic
Com. Vict.
License

Mtg. re:
Papa Gino's
All Alcohol
Com.Vict.
License Ap-
plication
continued

some protection, and it was Town Counsel's opinion that the Board of Selectmen is precluded from issuing the license over the objection of the Church, as the Church's objections meet the statutory requirements. The AA informed the Board that license must be voted on in the near future, in view of the 30-day requirement. Mr. Murphy informed Atty. Wayne and Mr. Priore that they could withdraw the application without prejudice, if they so desired, which they agreed to request of the Board. On a motion by Mr. Hart, seconded by Mr. Carson, it was unan. voted to allow Papa Gino's of America, Inc., to withdraw their application for an All Alcoholic Common Vict. License at 29 Chelmsford Street, without prejudice. Mr. Murphy suggested that the Church be consulted regarding installation of a fence, police officer, etc, prior to coming back before the BOS with another application. Mr. Priore was advised to apply for a Common Victualler License for 29 Chelmsford Street. Mr. Shanahan, in accordance with his April 26, 1977 Point of Privilege, did not partake in any discussion or vote regarding this matter.

Mr. Lovering suggested that the Board develop a set of criteria which applicants should follow in applying for Liquor Licenses, in order that no confusion exists when the applicants meet with the Board regarding their applications - fundamental concerns should be addressed in same.

Unfinished
Business
continued

The Board then discussed the appt. of the Board's rep. to NMAC - Mr. Lovering agreed to continue to serve in this capacity. Mr. Lovering suggested that the Board consider use of an alternate rep. to NMAC (besides himself and the Planning Board Rep. Mr. Gilet) who could serve in this intense role and treat this as an assignment, along with the 2 liasons. Mr. Burke, because of his new appt. to the Board of Appeals, informed Mr. Lovering that he cannot act as an alternate in the future. The Bd. agreed to solicit applications for this appointment, and review applications on file for same in the event that someone would wish to or has indicated a willingness to serve as an alternate.

Mr. Murphy agreed to act as the Board's rep. on the FinComm/Board of Selectmen Sub Committee.

Re: Board reps. on collective bargaining unions - the following members were appointed: JBS: Fire-alternate-AJL; Town Hall until contract is settled and then WRM will act as Board's rep; WRM: Highway with no alternate; PCH: Police-alternate-JWC.

Mr. Murphy agreed to act as the Board's rep. on the Personnel/Sel/FinComm. Personnel System Sub-Committee.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to approve Chief Germann's recommendation re: Hours of Work for Police Officers & Shifts as follows: 8AM-4PM:3 patrolmen & 1 officer; 4PM-12AM-4 patrolmen & 1 officer; 12AM-8AM:4 patrolmen & 1 officer; 5PM-1AM:1 patrolman; 1AM-9AM:1 patrolman - this will commence on July 1, 1978.

Mr. Murphy provided Bd. Members with changes on his proposal re: viewgraph, which the Board discussed last week-all changes were made with the exception of Mr. Hart's suggestion re: adding Cons.Comm. to the area of Inspections-Mr. Murphy will move same. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt this Proposal and dates as outlined, as amended this evening.

The AA informed the Board that re: North Road sidewalk, work still to be completed by Santorelli is as follows: loam & seeding, filling in space between sidewalk & lawn, and final coat of hot-top - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to forward this matter to Town Counsel for action to remedy this situation.

Mr. Murphy informed the Board that re: dues for MCAB-he has requested Lenore James to forward him a record of dues paid by other communities and what is being paid for by same - the Bd. will hold on further discussion pending receipt of this info.

On a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to adopt the AA's recommendations on action re: 1978 ATM Warrant Articles #25-52 as follows: 25-advise Penn Central that based on info from the State, the BOS have withdrawn the article; 26-notify Cons.Comm. that they should implement article; 27, 38, 43 defeated at Town Mtg; 28, 31, 32, 33, 34, 35, 39, 40, to be forwarded to Attorney General by Town Clerk for approval; 29, 30, 52 withdrawn at Town Meeting; 36-refer to Town Counsel for purchase & sale agreement, and AJL to work out details for use of Emerson House until such time as all offices are relocated to McFarlin Bldg; 37-AJL to prepare implementation plan to be presented to BOS at June 26 Sel. Mtg; 41-to appear on Sel. Agenda on June 12; 42, 44, 45, 48, 49, 51 all dismissed at Town Meeting; 46-refer to Town Counsel for legal descriptions & recording of plans in Registry of Deeds; 47-hold pending reports from independent ins.companies re: findings regarding our insurance; 50-request Mr. & Mrs. Robitaille to obtain 2 certified appraisals of land & submit same to BOS. The list was furnished to the BOS this evening and Mr. Carson stated that he hoped that the Board would take further action on several items, ie: North East Solid Waste Disposal, Insurance Consultant, etc. The Board took a 5-minute recess to review the list prior to vote on same.

The Board is in receipt of corres. from the School Dept. continue a similar project as the one at the High School to be expanded to the two jr. high schools, (Parker & McCarthy) & Harrington School-this was unan. voted on a motion by Mr. Shanahan, seconded by Mr. Carson - same will be forwarded to Lowell CETA Consortium.

Items 11 & 17 - re: Student Government Day-on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to encourage the School Dept. to authorize students to prepare an article on Student Gov't. Day which will be offered to the Selectmen's Magazine as a worthwhile project for other communities.

Corres.Sum.

Item 12 -resignation of Town Planner - Mr. Carson asked the AA if there could be some overlap between the present Town Planner & new Town Planner - the AA stated that she will review applications on file and attempt to have a recommendation after interviews for the Board's review on Monday evening.

Item 25 - corres. from Bruce Akashian re: project 2002 - the AA informed Mr. Carson that there will be a final report on the project this week, she expects. The project is complete, with the exception of the School Dept.

Item 28 - corres. from Youth Center Coord. re: request for leave of absence for Michael Fay, part-time Athletic Supv. for the Youth Center - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to request the reason for this leave of absence - the Bd. will hold on this matter pending receipt of this info.

Item 35 - corres. from J. P. Gravell re: barrier at Acton Rd. & Bartlett Street & drainage in this area - on a motion by Mr. Carson, seconded by Mr. Shanahan, it was unan. voted to discuss this matter with the consultant for the HD at the June 8 Work Session-also, Mr. Carson stated that Mr. Gravell should be commended for his persistence in this matter.

Item 38 - corres. from Personnel Board re:salary of BI-Mr. Shanahan stated that the Town Mtg. approved the salary of the BI as \$17,777-the bylaw does not become effective until July 1, containing the Pers. Bd's new salary schedule. Mr. Shanahan also noted that the ad for the position contained this salary-Mr. Lowering feels that the Bd. could indicate during the interview process that the number

Corres.
Sum.

continued

New
Business

is a range. Mr. Hart stated that at Town Mtg., we voted a salary for the BI at \$17,777, he questions the changing of same, even to a lower figure.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's. Recommendations on the Corres. Sum., as amended, and include same in the minutes of the mtg. by reference.

Mr. Shanahan noted that the County Cmsnr. Chairman, Michael McLaughlin, last week stated his endorsement for the City of Lowell & Town of Chelmsford to have a right of first refusal, after bids are accepted on the property, whereby, if in fact, a bid came in for \$50,000 for the property, whereby the Town of Chelmsford and the City of Lowell would be entitled to a right of first refusal at that amount, should we deem it necessary; also, Mr. Tucke and Mr. Shanahan recommended a Greater-Lowell Real Estate Agent(s) be consulted with regard to the property-7 of 7 recommendations by Mr. Tucke & Mr. Shanahan are being considered by the County Commissioners.

The Board agreed to request the Hghy. Supt. to investigate the area of 8 McFarlin Road as the owner granted the Town an easement for the purposes of drainage, and the area is slowly becoming a depression in his backyard.

The AA will check for Mr. Shanahan to determine whether or not the Acton Road Sidewalk Project has been completed - if it has been completed, or is in the process, Mr. Shanahan suggested that it be viewed by the Hghy. Supt. or Mr. Bienvenu, as there are a number of deficiencies which should be examined.

Mr. Lovering stated that with regard to the paper pick-up in Town, papers will be picked up during the week of June 12-16 for Town residents - same will be advertised.

Mr. Lovering stated that re: Mr. McHugh's participation in the interview process for Building Inspector, Mr. Lovering will not participate in a re-interview of Mr. McHugh because of his previous vote a few weeks ago.

Mr. Murphy stated that at the 7-7:30 PM open session, the Elks reps. informed the Board that they must have a commitment from the Police Dept. that the roads (Rte. 110 & Garrison Road) will be open before the Fire Chief will approve the fireworks at the Elks during Fourth of July Celeb. Normally on the day of the event, coverage was supplied from 6 to 10 pm for fire works, and in addition, they would like to be assured that two regular officers will be on duty, and they requested that parking be restricted to one side of Rte. 110 & Garrison Road properly posted & notice given. Mr. Carson noted that the Elks offered to pay for the police officers - Mr. Shanahan recommended that two additional officers be assigned to that geographic area because of the need on that day - Mrs. Haines will meet with the Chief on June 1 and will address these matters with him at the mtg. and request his response on the above.

The Meeting on June 8 will be posted and will be a Special Meeting.

Meeting
Adjourned

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:15 PM.

For the Board of Selectmen, by

Bonita J. W. C.

Work Session
re: a) signing
of Highway
& Cemetery
Contracts;
b) bid open-
ings for
Hgy. mat; c)
aerial
mapping

Work Session of the Chelmsford Board of Selectmen held June 5, 1978 at which bids were opened for Highway materials and J. Paul Bienvenu, Consultant for the Hghy. Dept. explained the aerial photography and aerial mapping to various Boards and Committees. Members present were: Mr. Murphy; Mr. Shanahan; and Mr. Lovering. Mr. Carson joined the meeting in progress at 8:45 PM. Mrs. Haines, Adm. Asst. was also present. Mr. Hart was working late and could not attend the meeting. The meeting opened at 7:30 PM, with the signing of the Cemetery & Highway Contracts.

Present from the Cemetery Commission was Everett Olsen, Chairman of the Cemetery Comm. and George Baxendale, Cemetery Supt. Present from the Highway Dept. were Supt. Louis Rondeau, James Higson and Harry Silveria - a photograph was taken of the signing of both contracts.

Signing of
Cemetery &
Highway Con-
tracts

At 7:45 PM Sealed Bids were opened and read aloud for Highway Materials as follows:

a) pipe: Chas. Freadman Steel, Inc: \$1.61; \$1.71; Eastern Culvert: \$1.31; Donel Supply Co., Inc: \$4.02; Hume Pipe Corp: \$2.75; Penn Culvert: \$1.60; Armco Steel Corp: \$4.54; b) bituminous material: Chelmsford Paving: \$16.89 ton; Mystic Bituminous Products Co., Inc: \$.618 per gallon; P.J. Keating Co: \$15.50 ton; Independent Bit.Co., Inc: \$0.618 per gallon; Geo. Brox. Inc: \$4 per ton; Able Bit. Contractors Inc: \$14.77; James Walsh Sons, Inc: \$17.85; Ahern Corp: \$0.618 per gal; Jowalco: \$15.50 per ton; Trimount Bit. Products Co: \$0.618 per gal; c) gravel & crushed stone: Nardone Sand & Gravel Co., Inc: \$2.50; Pomerleau Bros., Inc: \$2.80; Tacey Trans. Corp: \$1.50; W.P. Spratt Corp: \$2.60; d) catch basins & manhole frames & covers: Geo. A. Caldwell Co: mh: \$95; cb: \$110; E.L. LeBaron Foundry Co: mh: \$107; cb: \$98; C.M. White Iron Works: mh: \$106; cb: \$102.50. On a motion by Mr. Shanahan, seconded by Mr. Lovering, it was unan. voted to refer the bids to the PA for review and recommendation for award.

Bid Openings:
Highway Mater-
ials: pipe;
bituminous
material;
gravel &
crushed stone;
catch basins
& manhole
covers

A mtg. was held with various Depts. and Boards re: aerial photography and aerial mapping, during which J. Paul Bienvenu of the firm of Emmons, Fleming & Bienvenu explained the maps and distribution of same. Members from Boards, Committees, Departments, and Commissions present were as follows: Louis Rondeau-Highway Supt; Dennis Ready-Sewer Comm; Chief Robert Germann-Police Dept; Chief Frederick Reid-Fire Chief; Donald House & John McCormack-Cons. Comm; Janet Lombard & Ruth Delaney-Board of Assessors; Donald Gray-Park Supt; Ivan Hunt-South Chelmsford Water District; Robert Charpentier-Rec Comm; Carrie Fenn-Planning Board; Barry Hass and a rep. of the LWV. Mr. Murphy opened the mtg. with a welcome of all interested parties-Mr. Lovering stated that the maps can be put to excellent uses by Town Depts. and Boards, and the project was most worthwhile. Mr. Bienvenu opened his comments by stating that in 1976 the Cons Comm had appropriated at town meeting \$8,000 for the mapping of the Town - it was agreed to use that money instead to establish verticle and horizontal control over the Town which was the first step in preparing mapping - from that the bill totaled approx. \$6,300-with those funds we recovered and marked 53 geodetic points, shown on an index map. Some of the points were established in 1929 and 1932 by the Federal Government, and Comm. of Mass; 53 monuments in Chelmsford were recovered - they are at northerly and easterly coordinates based on the coordinate system. The entire State of Mass. has been mapped on the coord. system. The monuments were flagged with large white pieces of cloth, which were synchronized with the photographer, who then came through Town and flew these flight patterns shown on the index of proposals. The weather on the day which the Town was flown over for this project was excellent and all of the areas flagged were visible. From this, they then went out and ran control ^{traverses} criss-crossing across the Town and established a group of Town benchmarks. There are 141 maps for the Town of Chelmsford-a copy of this has been sent to the U.S. Coast Geodetic in Boston, which they appreciated receiving. We are now tied in to the State mapping program. The difference in elevation all over the Town is also part of the package. Mr. Bienvenu stated that in this Town, nothing should be done from this day forward (plan work, elevation work, etc.) unless it is on the Town of Chelmsford System. The maps start at the Tyngsboro northwesterly corner - the index map will be the first sheet of the package - a legend explains the symbols on the main maps. Mr. Bienvenu had a strip of the map hanging on the wall as an example-the map represents 2,000 feet in a northerly direction (straight up); the easterly coordinates are marked and there are tick marks on the map which represent 500 foot squares - mathematically, any known coordinate values can be determined; the coordinates are maked at 500 foot intervals; each line represents a two-foot difference in elevation; the 10 foot interval lines are marked as a darker line; the maps show every street, house, fence, pool,

Mtg. with Depts
Boards, Commit-
tees, Commis-
sions, etc.
& J.P. Bienvenu
re: aerial pho-
tography &
aerial mapping

Work Session
re: aerial
photography
& mapping
continued

garage, depressed areas, stone walls, spot elevations in the road, etc., and in a heavily pined-area, the contours are marked as conifers-the^{ground} could not be viewed through the pines. The maps were specifically done at 100 foot to the inch so they would not be too cumbersome, plus the fact that the majority of the Assessors' maps are 100 foot to the inch. The maps are extremely accurate. The ConsComm now has the ability to look at flood plains & wetlands - their consultant has already started to use the maps; the Board of Health will find the maps helpful re: permits, etc., which should be on the geodetic system; the Planning Board will find them helpful re: as built plans and profiles; the Rec Comm can use them re: recreational areas in Town; the Fire Dept. could have all hydrants in Town marked. Drainage patterns can now be easily compared. In answer to a question, Mr. Bienvenu stated that no one will update the plans without authorization from the Town - Mr. Bienvenu, although the maps were completed as of 1976, added items to the map and they should be fairly up to date to the present time. Mr. Lovering noted that it will be up to the BOS or townspeople to decide when, and who will be charged with updating the plans, whether it be Mr. Bienvenu's firm or another firm - the matter will have to be considered when it presents itself. Drainage can be easily plotted on the maps with the as built plans - the pattern revolves around elevation, etc., and will be very helpful in observing drainage problems & locations of same. The original drawings will be kept by Mr. Bienvenu's engineering firm; one set will be kept in the Police Dept. vault under lock & key; one set will be in the Town Clerk's Office for sale to residents - she will notify Mr. Bienvenu and he will make the requested copies and she will sell same to the residents. A set of milars costs approx. \$840 from a firm in Boston, Mr. Bienvenu stated, however, his firm is preparing a 3 mil. set of milars which will cost approx. \$100; a set of complete prints (paper sheets) cost approx. \$100. The set in the Police Dept. should be laid in plan files, flat - Mr. Bienvenu will supervise the proper caring for same in the PD. Mr. Lovering suggested that the FinComm & BOS decide which Departments or Committees should have complete sets of the maps - and budget for same, through a special collective article, or in each department or committee's budget. Mr. McCormack, Chairman of the Cons. Comm. stated that the Cons. Comm. needs a set of its own, and will so notify the BOS in writing - the Bd. requested that all committees and boards, etc., notify the Sel. in writing, of their needs for same. Mr. Bienvenu requested that he be notified of any discrepancies in the maps, i.e., spelling of street names, location of streets, etc., in order that he may correct same. Mr. Bienvenu feels that it would be too difficult and not beneficial to the Town to put the maps on microfilm, in view of the high costs associated with same. Mr. Bienvenu noted that at the time of the printing of the maps & documentation on same, Crystal Lake was dry; however, it has been noted on the map that the Lake is now filled with water. Mr. Murphy noted that any amendments re: additions to the maps, i.e., streets, etc., will be made on a plan basis. Mr. Lovering asked Mr. Bienvenu's firm to prepare a letter to the BOS which would define, for the Board's consideration, things which should be considered in updating the maps in time - areas we should think about for future updating, some updates may be annual and others may be long-range. At this time Mr. Carson joined the mtg. in progress (8:45 PM). Mr. Murphy congratulated Mr. Bienvenu on a job well done. Mr. Murphy stated that the Bd. would like to have the updating performed by a professional - requests with requested info. to be included on updates will be forwarded to the BOS.

Meeting
Adjourned

The meeting was adjourned at 8:48PM.

For the Board of Selectmen, by

Brita Powell

Special Meeting of the Chelmsford Board of Selectmen held June 8, 1978. The mtg. was called to appoint a Building Inspector for the Town of Chelmsford-the appt. was scheduled for 7:30 PM and a mtg. was scheduled at 8PM with J. Paul Bienvenu Consultant for the Highway Department, and Louis Rondeau, Supt. of Streets, to discuss drainage problems in Town. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; Mr. Lovering; and Mr. Hart. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy, Chairman, called the meeting to order at 7:30 PM.

Special Mtg.
re: appointment of BI
& drainage problems

Mr. Murphy stated that some 54 resumes for the position of BI were received; of the 54 resumes, 24 persons were selected for interviews by the Board of Selectmen; of the 24 persons selected for interviews, 23 persons chose to attend the interviews. Peter J. McHugh, Jr., former BI, was interviewed by the Board. The interviews were held on three evenings. Mr. Murphy placed all names in nomination - the names of those individuals interviewed and those individuals who forwarded the Board resumes.

Building Inspector
Appointed:
John J. Zagata

At this time, Selectman Joseph Shanahan presented the Board's Chairman with petitions as follows, with approx. 600 signatures: "We the undersigned residents of the Town of Chelmsford support the appointment of Peter J. McHugh as Building Inspector." The Board then cast their votes for a Building Inspector as follows: Mr. Shanahan-Peter J. McHugh, 115 Turnpike Road, Chelmsford; Mr. Carson-John Jacob Zagata, 72 Cottage Street, Concord; Mr. Lovering-John Jacob Zagata, 72 Cottage Street, Concord; Mr. Hart-Peter J. McHugh, 115 Turnpike Road, Chelmsford; Mr. Murphy-John Jacob Zagata, 72 Cottage Street, Concord - as Mr. Zagata had a majority of 3 votes, he was appointed as Building Inspector for the Town of Chelmsford. Mrs. Haines will notify him of the Board's vote and inform the Board of his decision. As the next meeting was scheduled for 8PM, on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting at 7:33PM until the 8PM meeting.

At 8PM the Board met with L. Rondeau & J.P. Bienvenu re: drainage problems. The following categories were agreed upon for severity of drainage problems in relation to safety and cost: a) high priority; b) medium priority; c) low priority. The Board reviewed the list as follows: Bartlett Street - considered Class A priority, and Mr. Bienvenu foresees no problem with obtaining the necessary easement; Bridge Street - considered Class C priority, low as far as impact to the community as only two people are bothered by this problem; Warren Ave - should be reassessed, Mr. Rondeau stated that there is a drainage problem between the houses in the area and the aerial maps should be of some help; Garland & Walnut Streets & Locust Road - considered Class B priority-2 easements are needed and JP Bienvenu will investigate this further; High St. at New York, New Haven & Hartford RR - Class B priority-2 easements required; Fairbanks Road - Mr. Shanahan feels that legal fees might be quite high regarding this matter-it was considered as a Class B priority; Middlesex Street (Industrial Site) - Mr. Katz has 2 parcels of land; however, Mr. Bienvenu sees no problem with keeping the pipes cleared-this was considered a Class A priority; Locust Road - the Board agreed to hold on this matter for a mtg. with the residents of the street-the st. is not accepted and there are no plans for same; Acton Road at Bartlett Street - considered Class A priority; Noble Drive & Lord Road - Class A priority as there is a tremendous amount of flooding and water in this area; Hugo Lane was also discussed and Mr. Bienvenu will consider this problem - we can remove willow trees but it will be quite costly-Mr. Bienvenu will look into this item; Riverneck Road at Randall Street - Class A priority can be accomplished by Town forces; Parkerville Road at Cemetery - easements will be required, some grades could be taken out - Mr. Bienvenu will go ahead with a study of this problem & report back to the Board; Hunt Road at Garrison Road; Class C priority-easements will be required; Dunstable Road near Marinel Avenue - Class A priority; RR Tracks at Chelmsford Center - a blind catch basin exists in this area and a hold was placed on this item-Mr. Rondeau will fill the hole with hot-top; Sleeper Street at Deep Brook - Class A

Mtg. with J.P. Bienvenu & L. Rondeau re: drainage problems

Mtg. re:
drainage
continued

priority in view of safety aspect-Mr. Bienvenu will study same; Mill Road at Dominic Drive - Class A priority-Water Dept. should check lines & Mr. Bienvenu will study same further; Hall Road at land of Alessandrone & Hall Road at land of Beckvold - Class B priority for study; Glenn Ave. at B & M Railroad - Class B priority; Sands Place near Noble Drive - tied in to Hugo Lane matter - Mr. Bienvenu will investigate same; South Row School - Class A priority - the Bd. agreed to inquire of the School Dept. as to whether or not they would have necessary funds (\$20,000 estimate by Mr. Bienvenu) to correct this drainage problem; if not, they should request that an article be included in an upcoming Town Mtg. for funds to correct this problem-Mr. Hart read the letter from Charles Watt re: this drainage item, which did not outline the specifics of the problem, or the cost estimate. The following items were reported but have not yet been investigated: Merilda Ave. at land of Decelle; Berkeley Drive; Oriole St. at Sylvan Ave; Ideal Ave; Colonial Terrace; Leedburg St; and Fairbanks Road was added to the list by Mr. Lovering - Mr. Bienvenu will look into the Fairbanks Road problem; Colonial Terrace will be classified as a Class A priority; he will also investigate the Berkeley Drive problem; the Ideal Ave. problem is minor. The Board agreed that Mr. Bienvenu and Mr. Rondeau will come back to the Board within 1 or two weeks with a report based on this meeting, of their plan to proceed with the priority projects. Mr. Rondeau indicated that Town forces can be used on a number of items; they will determine costs not to exceed the \$70,000 budgeted for same; the ConsComm will be consulted by Mr. Bienvenu where necessary. Some of the items can be proceeded with immediately - the 'A' items, as long as they are within the budget and can be accomplished with Mr. Rondeau's forces for drainage purposes. They will inform the Bd. which problems will be addressed by Town forces, which will be put out for contract; which will be studied and in what order they will get back to the Board in the middle of August or early Sept. with their report and costs associated with same, and funds which should be held aside for easements, where necessary.

Re: Bartlett Street/Acton Road letter received from Mr. Gravell, the Board agreed to forward Mr. Bienvenu a copy of the map to which Mr. Gravell referred in his letter and he will review same and come back to the Board with his recommendations. The Board adjourned the meeting at 9:30 PM.

For the Board of Selectmen, by

Bonita Powell

Regular Meeting of the Chelmsford Board of Selectmen held June 12, 1978. Members present were: Mr. Murphy; Mr. Shanahan; Mr. Carson; and Mr. Hart. Mr. Lovering was out of State on business and was not present. Mrs. Haines, Adm. Asst., was also present. Mr. Murphy, Chairman, called the meeting to order at 7:35 PM.

The Fire Dept. Contract was signed and a photograph was taken of the signing of same.

The Board proclaimed June 24 as Camp Paul Day - a photograph was taken of the signing of the proclamation.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the minutes of the following meetings: May 30 (Regular); June 6 (Aerial Photography); June 9 (Special Meeting).

Mr. Murphy read the following letter from the Purchasing Agent re: bid opening scheduled for 7:45 PM: "Since we are going out for bids again on group hospital, surgical, medical and other health insurance, it is my recommendation that we only open the Workers' Comp. Bids, and hold or send back the Group Hospital bids which includes the Life Ins. section. My reason for this is that companies like Aetna, Prudential and others may bid on item 1 as a complete package." On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to open only the

Members
Present

Fire Dept.
Contract
Signed

Proclamation

Minutes
Adopted

Bid Opening
Group Hospital & Health
Ins.

bids for Workers' Comp., and to hold the bids for Life Insurance. Sealed Bids were as follows: Picken Insurance: \$75,925; Caddell & Byers Insurance: \$75,973. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to refer the bids to the PA for recommendations for award.

Mr. Carson reported that on May 31 he attended the Senior Citizens' luncheon at the McFarlin School and he was very impressed with same - he stated that he hopes that something will be addressed next year in terms of the operation of this program.

Board Reports

The AA informed Mr. Carson that she has received some applications for Town Planner and will attempt to review same within the week for scheduling of interviews.

Mr. Carson stated that 2 items were referred recently to the BI - we have not received a report from Mr. Salemi yet, the AA informed him; also, Mr. Carson requested that the BI investigate a parked vehicle at the corner of Linwood St. & Ideal Ave. and provide the Bd. with a status report of same.

Mr. Murphy read the following letter from John Jacob Zagata, 72 Cottage Street, Concord, who was appointed as Building Inspector for the Town of Chelmsford by the Board on June 8, 1978: "I wish to thank you for your consideration and appointment to the position of Building Inspector. As I discussed with Selectman Lovering, I have also been considered for the position of Bldg. Commissioner in another community. Though a difficult decision, after much thought and careful consideration, I have decided not to accept your appointment." Very truly, J. Jake Zagata (signed Jake Zagata) Mr. Murphy stated that the Board became aware of this late Friday afternoon, June 9, and the action which the Board took last week is null and void. Mr. Murphy called Mr. Zagata to make sure that we received written notification of his decision. As Mr. Lovering is out of Town until the end of the business week, and Mr. Shanahan requested that a special mtg. not be scheduled for June 19, on a motion by Mr. Shanahan, seconded by Mr. Hart, it was unan. voted to hold a special mtg. on June 20 at 7:30 PM to discuss this appointment.

Building
Insp. declined
appointment

The AA prepared a list of articles for a Special Town Meeting, which will be held on Thursday, June 29, 1978 at 7:30 PM. A number of residents have called for a STM re: joining the Central Mass. Mosquito Control District - other articles will be: ratify the Town Hall Union Contract if negotiations are complete; sell lot 27B between land owned by Mr. Charles Rook & Rte. 495; purchase of sidewalk snowplow; municipal lien certificates; accept Chapt. 90, Section 20C of the MGL re: parking penalties; ConsComm-possible purchase of property for cons. purposes (3 articles); drainage at South Row School-Mrs. Haines will contact Mr. Watt by phone on 6/13 re: So. Row article. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to establish the date for the STM as June 29, 1978.

STM later

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Anne Jensen, Four South Row Street, Chelmsford, as Junior Clerk in the Veteran's Office, in accordance with recommendation of Mrs. Mary McAuliffe, Vet. Agent, at the salary as stated.

Unfinished
Business

Mr. Shanahan moved the appointment of Special Police Officers from the Town of Westford to serve in Chelmsford without pay-names are listed in Chief Germann's letter of June 5 (21 officers).

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint the following as laborers for the Highway Dept., employment to terminate Sept. 1, 1978-they will commence work on June 13, 1978: Michael Heath, 7 Pilgrim Road; Russell Mann, Jr., 73 Littleton Road; Barry Jones, 8 Whippletree Road, all of Chelmsford - at \$4.42 per hour.

Unfinished
Business
continued

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Timothy Miranda, 237 Chelmsford Street and Edward McGovern, 10 Church Street as CETA Cafeteria Maint. Workers at \$3.53 per hour.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to appoint Kevin Gagnon, 7 Miner Ave. as CETA Maint. Worker in the Housing Authority, at the stated rate.

A mtg. was held re: Central Square with the following persons: Al Laing, Mr. Prettie, James Ford of Storch Engineers; Chief Robert Germann; Richard Main, Pres. of the Chelmsford Business Association, as well as Mitch Korbey, John Hanley, Frank Devlin, Town Planner Stephen McDonald; Supt. of Sts. Louis Rondeau was not present as he had sprained his ankle earlier in the day. Mr. Main presented the Board with the CBA's plan for traffic in the Square. Mr. Carson commented on a mtg. held on June 8 with several of the persons listed above - the State wants us to comply with our time limits re: use of funds-if we are not going to implement some type of program, the funds will have to be turned back to the State. Mr. Edward Hilliard presented the Board with a plan he proposed for traffic flow through the Center. Mr. Laing discussed the CBA's plan as follows: Re: recommended signing, Mr. Laing stated that his dept. could do that, with the assistance of the Town; re: speed zoning-it can be done in the Square with State personnel; however, it might not necessarily reduce the speed limit; signing can be updated; if the project does not materialize, we will lose the design funds. Mr. Hanley suggested that we use a traffic officer and lights at the intersection. Chief Germann stated that all of the CBA's concepts have been tried, and all of them failed, and he feels that the only solution would be a bypass road. Mr. Carson stated that we could perhaps obtain some LEAA funds to train officers for work at the intersection. The Town Planner compiled a summary of accidents at this intersection - in 1976 there was a total of 20 accidents involving 40 vehicles with 1 injury; in 1977 there was a total of 24 accidents involving 48 vehicles with 3 injuries; in 1978 alone there have already been 12 accidents involving 24 vehicles with 1 injury. Mr. Murphy stated that if anyone has any ideas regarding a solution to this problem, he should contact the Board of Selectmen within the next two weeks. Mr. Hart feels that as the people voted down the traffic light in the square at the last Town Meeting, we should look for a new alternative.

At 8:45 PM the Board recessed for five minutes.

A joint meeting was held with members of the Planning Board and the Board of Selectmen to fill the unexpired term of A. Robert Raab, who resigned from the Planning Board. All names of applicants were considered in nomination-all members of the Planning Board were present, and Mr. Lovering informed Mr. Murphy before he went out of State that he did not object to the Board's joint mtg. at this time. The applicants are as follows: Charles Marderosian; John Judge; Charles Parlee and Robert Yetman. Vote was as follows: Mr. Shanahan-Charles Parlee, 143 Pine Hill Road; Mr. Carson-Robert Yetman, Hunt Road; Mr. Hart-Charles Parlee; Mr. Murphy-Charles Marderosian, Buckman Drive; Mr. Bartel-Mr. Parlee; Mr. Firth-Mr. Parlee; Mr. Gilet-Mr. Parlee; Mrs. McCarthy-Mr. Yetman; Mrs. Fenn-Mr. Yetman; Mr. Johnson-Mr. Parlee; as 6 is the required number for an applicant to be appointed, Mr. Charles Parlee was appd. to the Planning Board. The AA will telephone Mr. Parlee on June 13 and inform him of his appointment.

A mtg. was held with Larry Sheppard, et al re: Acton Road widening & sidewalk. Mr. Sheppard stated that he met with Mr. Shanahan and Mr. Bienvenu a few weeks ago re: Mr. Bienvenu's plan. Mr. Sheppard informed the residents of the SCVIA of this plan at a recent meeting, and they informed him that they do not wish to have the street changed in any way, but they do want the sidewalks. Mr. Wetmore suggested that the crosswalk be placed opposite his store for safety of the children. Also, the school zone light does not work, and this should be looked into.

Mtg. re:
Central
Square
Traffic

Joint Mtg.
with Planning
Board re:
appt. to fill
vacancy

Mtg. re: Acton
Road widening
& sidewalk
L. Sheppard
et al

Mr. Sheppard stated that the residents feel that the extra foot and one-half for the proposed widening would increase the speeding further in this area. Mr. Bienvenu stated that even if the road is not widened, there will be enough room for the sidewalk. After the two independent surveys, Mr. Sheppard has determined that the only tree he would allow the Town to remove would be the larger maple tree. Mr. Bienvenu, in his plan, is attempting to save the tree, the tree would be upon the gutter line, similar to what we did on Fletcher St. Mr. Hart feels that we should leave the road the way it is now, put in a sidewalk, and try to develop some way in which we could slow down the traffic with the Police Dept. The Bd. will request the Supt. of Sts. to look into the lighting of the school zone 20 mph signs. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to endorse the belief of the residents re: not changing of the paved way on Route 27 in So. Chelmsford Village and request J. Paul Bienvenu to develop a plan for the Board's review; after which the Board could request a study by the Police Dept. as to what would be in the best interest of the safety of the children in the area; and it was further voted to request the Police Dept. to develop a plan whereby So. Chelmsford Sq. would be made more safe for the residents. Mr. Bienvenu will be forwarded a copy of the minutes of this meeting for his review, and the residents will be invited back for another mtg. after Mr. Bienvenu & the Police Dept. meet and discuss same.

Mtg. re: Acton
Road widening & sidewalk
continued

A mtg. was held with Ronald Priore, Manager of Papa Gino's of America, Inc., and Charles Hoffer, of Papa Gino's re: request for a Common Victualler License at 29 Chelmsford Street. A total of 100 people can be accommodated in the restaurant and a bldg. permit was received for same. Mr. Priore reviewed the plan with the Board and there are adequate parking spaces, which will be 32-33 spaces. A heavily overgrown embankment is on the premises, which should prevent youths from gathering there, and the area will be policed. If complaints are received re: traffic on the weekends, Mr. Priore will contact the Police Dept. re: employment of an officer in this area. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to grant the Common Vict. License to Papa Gino's of America, Inc. Mr. Priore stated that they intend to open on June 27, 1978.

Mtg. re: CVL
at Papa Gino's
29 Chelms. St.

Re: MCAB dues, we are still awaiting corres. on same-the Bd. held on this item.

Unfinished
Business
continued

Re: Ambulance Contract, Mr. Murphy noted that we have received responses from several emergency room areas re: ambulance services provided by Medic & American Ambulances. Medic has agreed to provide services for \$1 per year, as did American Ambulance. Mr. Carson requested a hold on this item until 6/20, special meeting.

Item 14 - corres. from Martin Ames re: MVHPC-Mr. Ames indicated that he is watching this program. Corres. Sum.

Item 19 - corres. from Chelmsford Historical Comm. re: resignation of Mr. John Alden-the Bd. agreed to hold on appt. to fill this vacancy until 6/26.

Item 22 - corres. from MLC&T re: \$1,268 to assist in costs associated with a law suit re: property tax - on a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted not to contribute to this suit.

Item 59 - corres. from Stephen McDonald, Town Planner re: Central Sq. revitalization - the Bd. agreed with the AA's recommendation to notify the Town Planner that we do not have funds budgeted for an architect for this project.

Item 62 - corres. from Cons. Comm. re: culvert under Butterfield Street-Mr. Carson stated that we had discussions re: drainage on Deep Brook last week at our drainage meeting - Mr. Carson asked if the problem on Sleeper St. and Butterfield St. is related-they may be consolidated if they are by the Cons. Comm.

On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adopt the balance of the AA's recommendations on the Corres. Sum., as amended, and include same in the minutes of the meeting by reference.

Mr. Murphy informed Mr. & Mrs. Merksamer, who were in the audience, that they did not have to be present this evening, as the matter will be referred to the BI re: zoning. Mr. Shanahan noted that the ^{use of} tables & chairs have been discontinued since their last mtg. with the Board, and wished to publicly note same.

New Business

The AA informed Mr. Carson that appts. on the RecComm will be on the 6/26 agenda.

Mr. Carson made the following statement re: the situation involving the Building Inspector. "I take it as a real disappointment personally, and I think for the majority of the townspeople that a highly qualified individual, Mr. Zagata, decided that he would not accept the appointment which we offered him last Thursday evening. I say it's unfortunate because I think that he was highly qualified and he could have contributed much to our Town in terms of the office which he was being appointed to. My concern, or a point I would like to make tonight, is that I think much of the blame, if there is blame to be placed for this situation, in terms of Mr. Zagata's not accepting the appointment, should be directed to two members of the Board who decided not attend any of the interviews for individuals to the BI's position. There were a total of 55 individuals who submitted applications for this; 24 of those individuals were scheduled for interviews; 23 showed up. Mr. Hart and Mr. Shanahan found it convenient, or appropriate, or whatever, to be present for only one of those interviews, namely the interview of Mr. McHugh. I think that this is most unfortunate, I think it indicated to the appointees, or I should say, to the interviewees, that at least two members of the Board really had no concern with who was going to be appointed, or who was going to be even considered for this position. I think this attitude resulted in Mr. Zagata's not accepting the appointment, and I think this is most unfortunate. I think each of us has the responsibility, as a member of the Board, to try to do the best job that we possibly can, and I don't deny that sometimes we have to miss a mtg. for one reason or another - I've missed two because of business commitments. Mr. Hart has missed several because of illness, he missed an aerial mapping mtg. the other night because of working - I don't deny that this is a situation that goes on, Mr. Lovering is not here tonight. But to not attend a mtg. simply out of, I'm not sure exactly what the appropriate term would be - pique, perhaps, obstinance, I'm not sure what comment should be made, but I think it reflects very poorly on the attitude of at least two members of the Board concerning this position of BI and I think it's time that we all recognize that Mr. McHugh will not be reappointed to this position, and that whoever we appoint to this position, if not to receive the support of the Board, should, at least be in a position where the Board members are willing to work with him and try to resolve some of the difficulties in the Town. I find it most unfortunate that this situation has developed to the point where it has, and I hope that next week, or a week from Tuesday, that we could appoint someone to fill this position - that the person will accept the appointment, and enjoy some, if not support, at least some understanding from the Board in terms of the difficult position that he has been placed under."

Mr. Hart stated as follows: "I didn't have any new business, but in regards to that ridiculous statement you (Mr. Carson) just made, obviously Mr. Carson can't take the heat making statements like that. I think that he should be aware that some of us don't feel necessarily, that Mr. McHugh should not have the job - 600 signatures were brought in here last week, and those people thought Mr. McHugh should have the job. I've sat on this Board, John, for a long time. I've seen what Mr. McHugh can do for a job. I know he can do the job, and so I'll continue to vote for the best man. I don't have to have somebody like you, who has been around here for a very short time, tell me how to be a Selectman."

Mr. Shanahan's comments were as follows: "I would concur with Mr. Hart's statements with regard to experience and Mr. Carson's service on the Board over the last ten weeks - the number of regularly-scheduled meetings he has managed to attend, and in bringing up Mr. Hart's attendance record, and generally, Mr. Hart and I abstaining from interviews of all of the selectees with the exception of Mr. McHugh, I chose not to attend, because I, by my vote several weeks ago, made

clear who I felt was the most qualified applicant. He reapplied, he was interviewed, I was present for that interview. I saw nothing in that interview to change my mind. It wasn't that I was unable to meet any of those applicants, I chose not to be there because I thought it was creating more in the way of the 'charade' Mr. Hart mentioned a few weeks ago as far as this entire process has been concerned. This Board, in attendance since reorganizing, has spent no less than 12 different dates discussing one appointment-the appointment of Mr. McHugh, and I remain firm in my conviction that he can do the job better than any of the applicants that filed, his qualifications are unquestionable, and you, Mr. Carson, sat right in that chair last week and indicated in front of Mr. Hart, Mr. Murphy and I, to Mr. McHugh, that his 'qualifications were never an issue in your own mind.' And that's a quote. I am not convinced at this point that Mr. McHugh has no chance to be appointed to the position of BI. If in your opinion, Mr. Zagata is more qualified than he, I would sincerely hope that now that Mr. Zagata is not accepting the position, that you will look at the other applicants with an open mind, and put aside personal or political commitments you may have made to a change in that particular office. And I again repeat, I don't appreciate your reference to our not being present, as any reason for Mr. Zagata not to accept that position. I don't think you have any foundation in fact to back up that statement, other than the fact that you, and possibly other members of this Board, were embarrassed that you came in to a public meeting, a specially-called meeting, and on the first round of ballots, considering 23 individuals that were interviewed, on the first round there were 3 votes for Mr. Zagata - I can't help but believe that possibly a majority of this Board were aware that Mr. Zagata was going to get that endorsement on the first round seems a little bit unrealistic to think that was coincidental. The thought that someone did not confirm with Mr. Zagata on that day, or previously, that he was in fact going to take that position #1, I don't think was proper; #2 if it wasn't necessary and Mr. Zagata thereafter, as he indicated in his letter was offered a position in another community that he thought was a better position, I don't think you have any right to cast aspersions on Mr. Hart & myself; or to cast the aspersion on Mr. Zagata that he chose another place to pursue his career because two members of this Board were not present. I think that's very unfortunate and very unfair and I hope it won't occur again." Mr. Murphy had not comment on the matter.

Mr. Murphy noted that on this date he received a call from Atty. James Geary, representing the Fiske House, Inc. At the time the application was before the Board there were a number of stipulations made in awarding the license. This past week, Mrs. Haines was in the process of determining if the stipulations were met, in view of the fact that the Board is on summer schedule and the restaurant is almost ready to open. The Historic District Comm. was concerned with all requirements of the Cert. of Appropriateness being met; and there was concern re: service area. Mrs. Haines has checked with the ABCC and indicates that any modification to that would require advertisement and a new hearing. Atty. Geary stated that they hope to have the finished carpentry and electrical work completed within the next few days. Mr. Owen has scheduled an appt. with the State Bldg. Insp., and has met with the Captain of the Fire Dept. Once they obtain the Fire Dept's. certificate of approval and the occupancy permit they will be in compliance with all of the stipulations. Atty. Geary asked if the Board would consider authorizing the Adm. Asst. to issue the license (Common Vict. & All Alcoholic) subject to receipt by her of the appropriate documents, namely, approval by the Fire Dept. as to safety, and the occupancy permit from the State BI-the license could be issued with the understanding that it might be necessary for us to advertise for a public hearing on the 26th re: service area in the basement-no liquor would be served in that area until the public hearing-this area would be utilized to serve people who are waiting to have dinner. Rev. Sobel informed Atty. Geary that he understood the restriction and had no objection to having a service area for people waiting for dinner. Mrs. Sobel was present at the mtg. and stated that she

Discussion
re: Fiske
House, Inc.

Discussion
re: First
House
continued

did not feel that this was her husband's opinion-she feels that he objects to liquor being served in that area in the basement. Atty. Geary stated that he would allow Rev. Sobel to review the matter again. Mr. Murphy stated that we did not receive any final approval from the Bd. of Health re: septic system-we will request same. Mr. Carson stated that there is some problem re: the Historic Dist. Comm. regarding the property and asked for clarification on same. Atty. Geary stated that was re: cert. of approp. re: grassy area and concrete steps. Due to the heavy equipment on the lawn, the grass has not been planted yet but will be in the near future-everything is granite with the exception of the first 3 steps, from a safety standpoint. Atty. Paul Killian was also present and stated that they had applied for two cert. of approp. as during the first public hearing before the HDC they could not get the cert. for the air conditioners. Both applications were granted Cert. of Approp. from the Commission. One cert. was for Mr. Redstone and the other was from Fiske House, Inc. The Hist. Dist. Comm. does not offer a final permit, only a cert. of approp. Mr. Carson suggested that these two items be taken care of before Monday. Atty. Geary stated that the First Baptist Church dinner scheduled for June 13 has been rescheduled to another location. The Public Hearing will be scheduled for June 26. Sel. Shanahan, in accordance with his April 26, 1977 point of privilege, did not participate in any of the above discussions. On a motion by Mr. Shanahan, seconded by Mr. Carson, it was unan. voted to adjourn the meeting. The meeting was adjourned at 10:35 PM.

Meeting
Adjourned

For the Board of Selectmen, by

Bonita Towle

